

45.990 Penalties.

- (1) Any officer, agent, or employee of any budget unit who willfully fails or refuses to comply with any of the provisions of KRS 45.011 to 45.031, 45.121, 45.142, 45.151, 45.242, 45.244, 45.251, 45.253, 45.305, or 45.313, or who expends any money in violation of any of the provisions of those sections, shall be subject to prosecution in the Franklin Circuit Court, and upon conviction shall be guilty of a violation.
- (2) If any person incurs, or orders or votes for the incurrence of, any obligations in violation of any of the provisions of KRS 45.244, he and his sureties shall be jointly and severally liable therefor.
- (3) Any employee of the Office of Material and Procurement Services established within the Office of the Controller, or any official of the Commonwealth of Kentucky, elective or appointive, who shall take, receive, or offer to take or receive, either directly or indirectly, any rebate, percentage of contract, money, or other things of value, as an inducement or intended inducement in the procurement of business, or the giving of business, including, but not limited to, personal service contracts, for, or to, or from, any person, partnership, firm, or corporation, offering, bidding for, or in open market seeking to make sales to the Commonwealth of Kentucky, shall be deemed guilty of a Class C felony.
- (4) Every person, firm, or corporation offering to make, or pay, or give, any rebate, percentage of contract, money, or any other thing of value, as an inducement or intended inducement, in the procurement of business, or the giving of business, including, but not limited to, personal service contracts, to any employee of the Office of Material and Procurement Services or to any official of the Commonwealth, elective or appointive, in his efforts to bid for, or offer for sale, or to seek in the open market, shall be deemed guilty of a Class C felony.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 85, sec. 68, effective June 20, 2005. -- Amended 2000 Ky. Acts ch. 5, sec. 6, effective July 14, 2000. -- Amended 1992 Ky. Acts ch. 463, sec. 6, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 496, sec. 23, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 365, sec. 3, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 111, sec. 39, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 40, sec. 3(1), (2), (3), (5), and (6), effective March 12, 1980. -- Amended 1978 Ky. Acts ch. 110, sec. 98, effective January 1, 1979. -- Repealed and reenacted 1968 Ky. Acts ch. 152, sec. 20. -- Amended 1966 Ky. Acts ch. 255, sec. 54. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 1992b-31, 1992b-63.