

143A.070 Bond of taxpayer may be required.

- (1) Whenever it is deemed necessary to insure compliance with KRS 143A.050 to 143A.130, the department may require any taxpayer to post a cash or corporate surety bond.
- (2) The amount of the bond shall be fixed by the department but, except as provided in subsection (3) of this section, shall not be greater than three (3) times the average quarterly liability of taxpayers filing returns for quarterly periods, five (5) times the average monthly liability of taxpayers required to file returns for monthly periods, or two (2) times the average periodic liability of taxpayers permitted or required to file returns for other than monthly or quarterly periods.
- (3) Notwithstanding the provisions of subsection (2) of this section, no bond required under this section shall be less than five hundred dollars (\$500).
- (4) The amount of the bond provided herein may be increased or decreased by the department at any time subject to the limitations herein provided.
- (5) The Commonwealth may bring an action for a restraining order or a temporary or permanent injunction to restrain or enjoin the operation of a taxpayer's business until the bond is posted and any delinquent tax, including applicable interest and penalties, has been paid. Such action may be brought in the Franklin Circuit Court or in the Circuit Court having jurisdiction of the taxpayer.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 85, sec. 548, effective June 20, 2005. -- Created 1980 Ky. Acts ch. 392, sec. 7, effective June 1, 1980.