

154A.090 Appeals -- Circuit Court alternatives.

- (1) Any retailer, vendor, or applicant for a retailer or vendor contract aggrieved by an action of the president of the corporation may appeal that decision to the board.
- (2) All appeals before the board shall be decided within thirty (30) days of the hearing.
- (3) Any person aggrieved by a decision of the board may appeal the decision to the Circuit Court of the county in which the corporation maintains its headquarters, except that if the person aggrieved is a lottery retailer or an applicant to become a lottery retailer, then the Circuit Court of the county in which said retailer does or applicant would operate shall have concurrent venue as to such appeal.
- (4) The Circuit Court may reverse the decision of the board only in the event the decision is found to be:
 - (a) Clearly erroneous; or
 - (b) Arbitrary and capricious; or
 - (c) Procured by fraud; or
 - (d) A result of misconduct by the board, or a member thereof.

Effective: December 15, 1988

History: Created 1988 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 11, effective December 15, 1988.