

**292.313 Applicability of specified provisions to sales transactions.**

- (1) KRS 292.320(1), 292.330, 292.340, 292.450, and 292.480 apply to persons who sell or offer to sell when an offer to sell is made in this state, or an offer to buy is made and accepted in this state.
- (2) KRS 292.320(1), 292.330, and 292.450 apply to persons who buy or offer to buy when an offer to buy is made in this state, or an offer to sell is made and accepted in this state.
- (3) For the purpose of this section, an offer to sell or to buy is made in this state, whether or not either party is then present in this state, when the offer originates from this state or is directed by the offeror to this state and received at the place to which it is directed (or at any post office in this state in the case of a mailed offer).
- (4) For the purpose of this section, an offer to buy or to sell is accepted in this state when acceptance is communicated to the offeror in this state and has not previously been communicated to the offeror, orally or in writing, outside this state; and acceptance is communicated to the offeror in this state, whether or not either party is then present in this state, when the offeree directs it to the offeror in this state reasonably believing the offeror to be in this state and it is received at the place to which it is directed (or at any post office in this state in the case of a mailed acceptance).
- (5) An offer to sell or to buy is not made in this state when the publisher circulates or there is circulated on his behalf in this state any bona fide newspaper or other publication of general, regular, and paid circulation which is not published in this state, or which is published in this state but has had more than two-thirds (2/3) of its circulation outside this state during the past twelve (12) months, or a radio or television program originating outside this state is received in this state.
- (6) Subsections (2), (3), and (4) of KRS 292.320, as well as KRS 292.330 and 292.450 so far as investment advisers or investment adviser representatives are concerned, apply when any act instrumental in effecting prohibited conduct is done in this state, whether or not either party is then present in this state.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 82, sec. 15, effective July 15, 2010. -- Amended 1998 Ky. Acts ch. 20, sec. 2, effective July 15, 1998. -- Created 1980 Ky. Acts ch. 368, sec. 2, effective July 15, 1980.