

### **304.99-020 Civil penalties.**

- (1) For any violation of this code where the commissioner has the power to revoke or suspend a license or certificate of authority, the commissioner may in lieu thereof or in addition to such revocation or suspension impose a civil penalty against the violator in the case of an insurer, a fraternal benefit society, nonprofit hospital, medical-surgical, dental, and health service corporation, or health maintenance organization of not more than ten thousand dollars (\$10,000) per violation; in the case of an agent, surplus lines broker, rental vehicle agent or managing employee, specialty credit producer or managing employee, or reinsurance intermediary broker or manager of not more than one thousand dollars (\$1,000) per violation; in the case of an adjuster, administrator, life settlement broker, life settlement provider, or consultant of not more than two thousand dollars (\$2,000) per violation.
- (2) Such civil penalty may be recovered in an action brought thereon in the name of the Commonwealth of Kentucky in any court of appropriate jurisdiction.
- (3) In any court action with respect to a civil penalty, the court may review the penalty as to both liability and reasonableness of amount.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1651, effective July 15, 2010. -- Amended 2008 Ky. Acts ch. 32, sec. 25, effective July 15, 2008. -- Amended 2005 Ky. Acts ch. 58, sec. 15, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 273, sec. 52, effective July 15, 2002. -- Amended 1986 Ky. Acts ch. 162, sec. 11, effective July 15, 1986; and ch. 437, sec. 39, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 320, sec. 43, effective July 15, 1982. -- Created 1970 Ky. Acts ch. 301, subtit. 99, sec. 2, effective June 18, 1970.