

336.985 Enforcement of civil penalties imposed in KRS Chapters 336, 337, and 339.

- (1) The secretary, or any person authorized to act in his or her behalf, shall initiate enforcement of civil penalties imposed in KRS Chapters 336, 337, and 339.
- (2) Any civil penalty imposed pursuant to KRS Chapter 336, 337, or 339 may be compromised by the secretary or the secretary's designated representative. In determining the amount of the penalty or the amount agreed upon in compromise, the secretary, or the secretary's designated representative, shall consider the appropriateness of the penalty to the size of the business of the person charged, the gravity of the violation, the number of times the person charged has been cited, and the good faith of the person charged in attempting to achieve compliance, after notification of the violation.
- (3) If a civil penalty is imposed pursuant to this section, a citation shall be issued which describes the violation which has occurred and states the penalty for the violation. If, within fifteen (15) working days from the receipt of the citation, the affected party fails to pay the penalty imposed, the secretary, or any person authorized to act in his or her behalf, shall initiate a civil action to collect the penalty. The civil action shall be taken in the court which has jurisdiction over the location in which the violation occurred.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1725, effective July 15, 2010. -- Created 1990 Ky. Acts ch. 42, sec. 1, effective July 13, 1990.