

227.620 Application for license -- Fees -- Business location specified -- Reports and records.

- (1) No retailer shall engage in business as such in this state without a license therefor as provided in KRS 227.550 to 227.660.
- (2) Application for license shall be made to the board or its designee at such time, in such form and contain such information as the board shall require and shall be accompanied by the required fee. The board may require in such application, or otherwise, such information as it deems commensurate with the safeguarding of the public interest in the locality in which said applicant proposes to engage in business, all of which may be considered by the board in determining the fitness of said applicant to engage in business as set forth in KRS 227.550 to 227.660.
- (3) All licenses shall be granted or refused within thirty (30) days after application. The initial license for a retailer shall expire on the last day of the licensee's birth month in the following year. The board may reduce the license fee on a pro rata basis for initial licenses issued for less than twelve (12) months. Renewed licenses shall expire on the last day of the licensee's birth month of each year after the date of issuance of the renewed license.
- (4) The license fee for such calendar year or part thereof shall be established by the board, subject to the following maximums:
 - (a) For manufacturers a "certificate of acceptability" shall be subject to a maximum of five hundred dollars (\$500).
 - (b) For retailers the maximum license fee shall be two hundred fifty dollars (\$250) for each established place of business.
 - (c) The fee for a "Class B Seal" for recreational vehicles shall be twenty-five dollars (\$25) per seal and the application form and seal shall be made available from the department.
 - (d) The fee for a "Class B1 Seal" and "Class B2 Seal" for manufactured and mobile homes shall be established by the board subject to a maximum of twenty-five dollars (\$25) per seal.
 - (e) The department may establish a monitoring inspection fee in an amount established by the secretary. This monitoring inspection fee shall be an amount paid by each manufactured home manufacturer in this state for each manufactured home produced by the manufacturer in this state. The monitoring inspection fee shall be paid by the manufacturer to the secretary or the secretary's agent, who shall distribute the fees collected from all manufactured home manufacturers among the states approved and conditionally approved by the secretary based on the number of new manufactured homes whose first location after leaving the manufacturing plant is on the premises of a distributor, retailer, or purchaser in that state, and the extent of participation of the state in the joint team monitoring program established under the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended.

- (5) All revenues raised through the provisions of subsections (4)(a), (b), and (c), and funds paid to the state by the secretary under the provisions of subsection (4)(d) of this section shall be deposited in a trust and agency fund and shall be used solely for the purpose of carrying out the provisions of KRS 227.550 to 227.660 and other departmental responsibilities. No amount of such trust and agency fund shall lapse at the end of any fiscal year.
- (6) The licenses of retailers shall specify the location of the established place of business and must be conspicuously displayed there. In case such location be changed, the retailer shall notify the department of any change of location, and the department shall endorse the change of location on the license without charge if it be within the same municipality. A change of location to another municipality or to a county which is not adjacent to the county where the business is located shall require a new license.
- (7) Every retailer licensed in accordance with the provisions of this section shall make reports to the department at such intervals and showing such information as the department may require.
- (8) Each manufacturer, distributor of manufactured homes or mobile homes, and retailer of manufactured or mobile homes shall establish and maintain such records, make such reports, and provide such information as the department or the secretary may reasonably require to be able to determine whether such manufacturer, distributor, or retailer has acted or is acting in compliance with KRS 227.550 to 227.660 or the federal act and shall, upon request of a person duly designated by the department or secretary, permit such person to inspect appropriate books, papers, records, and documents relevant to determining whether such manufacturer, distributor, or retailer has acted or is acting in compliance with KRS 227.550 to 227.660 or the federal act.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 420, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 217, sec. 6, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 182, sec. 2, effective June 20, 2005. -- Amended 2004 Ky. Acts ch. 74, sec. 9, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 340, sec. 8, effective July 15, 1996. -- Amended 1980 Ky. Acts ch. 200, sec. 7, effective July 15, 1980. -- Amended 1979 (1st Extra. Sess.) Ky. Acts ch. 19, sec. 12, effective May 12, 1979. -- Amended 1976 Ky. Acts ch. 136, sec. 7. -- Created 1974 Ky. Acts ch. 76, sec. 8.

2010-2012 Budget Reference. See State/Executive Branch Budget, 2010 (1st Extra. Sess.) Ky. Acts ch. 1, Pt. I, L, 8, (1) at 55.