

304.48-260 Commissioner's enforcement authority.

- (1) After a hearing or upon agreement by the liability self-insurance group, the commissioner may suspend or revoke the certificate of filing of a liability self-insurance group, impose a civil penalty of up to five thousand dollars (\$5,000) per violation on a liability self-insurance group, or both, for:
 - (a) Violations of this subtitle or administrative regulations adopted thereunder;
 - (b) Obtaining a certificate of filing by unfair or deceptive means;
 - (c) Operating in a financially hazardous manner;
 - (d) Misappropriation, conversion, illegal withholding, or refusal to pay over upon proper demand any moneys that belong to a member, an employee of a member, or a person otherwise entitled thereto by the group or its administrator; or
 - (e) Violations of Subtitle 12 of this chapter or administrative regulations promulgated pursuant thereto.
- (2) The commissioner, in his or her discretion and without advance notice or a hearing thereon, may suspend or revoke the certificate of filing of any liability self-insurance group upon the commencement of the following proceedings:
 - (a) Receivership;
 - (b) Conservatorship;
 - (c) Rehabilitation; or
 - (d) Other delinquency proceedings.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1605, effective July 15, 2010; and ch. 48, sec. 8, effective July 15, 2010. -- Created 1994 Ky. Acts ch. 358, sec. 26, effective July 15, 1994.

Legislative Research Commission Note (7/15/2010). This section was amended by 2010 Ky. Acts chs. 24 and 48, which do not appear to be in conflict and have been codified together.