

## **222.990 Penalties.**

- (1) Any licensee or other person operating a private facility who fails to furnish any such data, statistics, schedules or information as required, or who files fraudulent returns thereof shall be subject to a fine of not more than five hundred dollars (\$500).
- (2) Whoever knowingly establishes or maintains a private facility without a license granted pursuant to this section shall, for a first offense, be subject to a fine of not more than five hundred dollars (\$500) and for each subsequent offense by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than two (2) years, or both.
- (3) A person guilty of alcohol intoxication, or drinking alcoholic beverages in a public place shall, for a first or second offense be fined not less than twenty-five dollars (\$25).
- (4) A person guilty of alcohol intoxication, or drinking alcoholic beverages in a public place, shall for a third or subsequent offense within a twelve (12) month period be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), or be imprisoned in the county jail for not less than five (5) nor more than ninety (90) days, or both. Subsequent offenses not within the twelve (12) month proscription of this section shall be dealt with under subsection (3) of this section.
- (5) In addition to any other penalty prescribed by law for violation of subsections (1) and (2) of KRS 222.202, the court may sentence the person to an alcohol or substance abuse treatment or education program subject to the following terms and conditions for a third or subsequent offender:
  - (a) The sentence shall be for a period of up to six (6) months and the program shall provide an assessment to the court of the defendant's alcohol or other substance abuse problems.
  - (b) Each defendant shall pay the cost of the treatment or education program up to his ability to pay but no more than the actual cost of the treatment.
  - (c) A defendant may upon written recommendation to the court by the administrator of the program, be released by the court prior to the expiration of the six (6) month period.
  - (d) Failure to complete the treatment program or to pay the amount specified by the treatment program shall constitute contempt of court and the court may, in addition to any other remedy for contempt, reinstitute all penalties which were previously imposed but suspended or delayed pending the completion of treatment or education program.

**Effective:** July 1, 1986

**History:** Amended 1986 Ky. Acts ch. 336, secs. 2 and 3, effective July 1, 1986. --  
Created 197 Ky. Acts ch. 266, sec. 6, paras. (5) and (7).