

314.991 Penalties.

- (1) Any person who violates any provision of this chapter for which no other penalty has been provided shall be fined not less than fifty dollars (\$50) nor more than five hundred dollars (\$500). Each day he violates any provisions of this chapter shall be considered a separate offense.
- (2) Any person who willfully makes any false representation to the board in applying for a license under this chapter shall be fined not more than five hundred dollars (\$500).
- (3) For any violation of this chapter where the board has the power to deny, revoke, probate, limit, or suspend a license, the board may, in lieu thereof or in addition to other remedies, impose a civil penalty against the violator of not more than ten thousand dollars (\$10,000).
- (4) Any person who knowingly violates KRS 314.031(1) or KRS 314.035(1) shall, for the first occurrence, be imprisoned for not more than twelve (12) months or fined not more than five hundred dollars (\$500), or both.
- (5) Any person who knowingly violates KRS 314.031(1) or KRS 314.035(1) on a second or subsequent occasion shall be imprisoned for not more than five (5) years or fined not more than ten thousand dollars (\$10,000), or both.
- (6) Any unlicensed person who knowingly poses as someone else who does hold a license under this chapter shall be guilty of a violation of KRS 314.031(1), and the penalties set out in subsections (4) and (5) of this section all apply to such conduct.
- (7) In addition to the penalties provided in subsections (4) and (5) of this section, the board may impose civil penalties for violations of KRS 314.031(1) or KRS 314.035(1) in an amount equal to one hundred dollars (\$100) for each day during which a violation occurred or continued.
- (8) All civil penalties received and collected by the board shall be deposited with the State Treasurer of the Commonwealth of Kentucky, who shall place the money to the credit of the revolving fund of the board.
- (9) Any civil penalty received and collected by the board may be recovered in an action brought thereon in the name of the Commonwealth of Kentucky in the Circuit Court.
- (10) Whenever the board has reason to believe that any person is in violation or is about to violate any provision of this chapter, it may seek a restraining order, temporary or permanent injunction, or other civil remedy against such person in the Circuit Court.
- (11) In order to obtain a temporary or permanent restraining order, or other equitable remedy, it shall not be necessary to allege or prove that an adequate remedy at law does not exist, nor shall it be necessary to allege or prove that irreparable injury, loss, or damage will result if the injunctive relief is denied. Further, it shall not be necessary to allege or prove that criminal action has been first instituted.

Effective: June 21, 2001

History: Amended 2001 Ky. Acts ch. 144, sec. 5, effective June 21, 2001. -- Amended 1992 Ky. Acts ch. 128, sec. 14, effective July 14, 1992. -- Amended 1986 Ky. Acts ch. 346, sec. 12, effective July 15, 1986. -- Amended 1982 Ky.

Acts ch. 408, sec. 14, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 168, sec. 14, effective June 17, 1978. -- Created 1966 Ky. Acts ch. 20, sec. 20.