

211.9125 Sanctions for misconduct -- Cabinet's powers -- Appeals.

- (1) Subject to an administrative hearing conducted in accordance with KRS Chapter 13B, the cabinet may revoke, suspend, or restrict the certificate of a certificate holder, refuse to issue or renew certification, reprimand, censure, place on probation, or impose a fine not to exceed five hundred dollars (\$500) on a person who:
 - (a) Has been convicted of a felony under the laws of the Commonwealth of any crime that involves theft or dishonesty, or is a sex crime as defined by KRS 17.500;
 - (b) Has had disciplinary action taken against a professional license, certification, registration, or permit held by the person seeking certification;
 - (c) Engaged in fraud or deceit in obtaining certification;
 - (d) Attempts to transfer the authority granted by the certificate to another person;
 - (e) Disregards or violates the building codes, electrical codes, or related laws of this Commonwealth or ordinances of any city, county, urban-county government, consolidated local government, charter county government, or unified local government;
 - (f) Aids or abets any person attempting to evade the provisions of KRS 211.9101 to 211.9135 or the administrative regulations promulgated thereunder by the cabinet;
 - (g) Uses unfair or deceptive trade practices; or
 - (h) Knowingly violates any of the provisions of KRS 211.9101 to 211.9135 or any administrative regulation promulgated thereunder by the cabinet pertaining to radon measurement, mitigation, or laboratory analysis.
- (2) If an application for certification or renewal of certification is denied, the person seeking certification shall not conduct radon measurement, mitigation, or laboratory analysis within the Commonwealth of Kentucky.
- (3) Notwithstanding the existence or pursuit of any other civil or criminal remedy, the cabinet may institute proceedings in the Circuit Court of the county where the person resides for an order enjoining the person from engaging or attempting to engage in activities that violate any provisions of KRS 211.9101 to 211.9135 or any administrative regulation promulgated thereunder by the cabinet pertaining to radon measurement, mitigation, or laboratory analysis.
- (4) Any final order of the cabinet may be appealed to the Circuit Court of the county in which the person resides after a written decision is rendered in accordance with KRS Chapter 13B.

Effective: June 8, 2011

History: Created 2011 Ky. Acts ch. 74, sec. 13, effective June 8, 2011.