

393A.740 Other civil penalties.

- (1) If a holder enters into a contract or other arrangement for the purpose of evading an obligation under this chapter or otherwise willfully fails to perform a duty imposed on the holder under this chapter, the administrator may require the holder to pay the administrator, in addition to interest as provided in KRS 393A.730, a civil penalty of one thousand dollars (\$1,000) for each day the obligation is evaded or the duty is not performed, up to a cumulative maximum amount of twenty-five thousand dollars (\$25,000), plus twenty-five percent (25%) of the amount or value of property that should have been but was not reported, paid, or delivered as a result of the evasion or failure to perform.
- (2) If a holder makes a fraudulent report or files a report which fails to provide all necessary information in their possession under this chapter, the administrator may require the holder to pay to the administrator, in addition to interest under KRS 393A.730, a civil penalty of one thousand dollars (\$1,000) for each day from the date the report was made until corrected, up to a cumulative maximum of twenty-five thousand dollars (\$25,000), plus twenty-five percent (25%) of the amount or value of any property that should have been reported but was not included in the report or was underreported.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 78, sec. 3, effective July 15, 2026. -- Created 2018 Ky. Acts ch. 163, sec. 74, effective July 14, 2018.