

365.505 Attorney General to enforce -- Injunctive relief -- Civil penalty.

- (1) The Attorney General may enforce the provisions of KRS 365.490 to 365.510 and 365.993 by civil action for injunctive relief in any court of competent jurisdiction. In such action to obtain said injunction it shall be sufficient to allege and prove that a violation of KRS 365.490 to 365.510 and 365.993 has occurred, and it shall not be necessary to allege or prove that any person has been misled or deceived by said advertisement, claim or implication or that any person has been damaged or sustained any loss as a result of any violation of KRS 365.490 to 365.510 and 365.993.
- (2) When KRS 365.490 to 365.510 and 365.993 are enforced by the Attorney General through civil action, he may ask for and the court may assess a civil penalty for the benefit of the Commonwealth, not to exceed the sum of \$2,000, said civil penalty to be in lieu of all penalties set forth in KRS 365.993.
- (3) Nothing contained herein shall prevent any person who is threatened with loss or who has been damaged by reason of a violation of KRS 365.490 to 365.510 and 365.993, to sue for injunctive relief to prevent damages, or to recover damages sustained as a result of said violation. In order to obtain injunctive relief, it shall not be necessary to allege or prove that an adequate remedy at law does not exist.

History: Created 1966 Ky. Acts ch. 204, sec. 6.