

**353.991 Penalties for violation of KRS 353.500 to 353.720 and 353.735 to 353.747.**

- (1) Any person who violates KRS 353.570(1) shall be subject to a civil penalty assessed by the cabinet of not more than one thousand dollars (\$1,000), and the department may require the proper plugging of the well. The civil penalty order may be appealed pursuant to KRS 353.700 within thirty (30) days of assessment. Any person who knowingly and willfully violates KRS 353.570(1) shall upon conviction be guilty of a Class A misdemeanor and subject to a fine of not more than one thousand dollars (\$1,000) or imprisonment for a term not exceeding one hundred and eighty (180) days, or both.
- (2) Any person who continues to violate any provision of KRS 353.500 to 353.720 or 353.735 to 353.747, or any regulation or order promulgated or issued under KRS 353.500 to 353.720 or 353.735 to 353.747, after being notified in writing of the violation by the department shall upon conviction be guilty of a Class A misdemeanor and be subject to a fine of not more than one thousand dollars (\$1,000) or imprisonment for a term not exceeding one hundred and eighty (180) days, or both.
- (3) Any person who does any of the following for the purpose of evading or violating KRS 353.500 to 353.720 or 353.735 to 353.747, or any regulation or order promulgated or issued under KRS 353.500 to 353.720 or 353.735 to 353.747, shall upon conviction be guilty of a Class A misdemeanor and be subject to a fine of not more than one thousand dollars (\$1,000) or imprisonment for a term not exceeding one hundred and eighty (180) days, or both:
  - (a) Makes or causes to be made a false entry or statement in a report, record, account or memorandum, required by KRS 353.500 to 353.720 or 353.735 to 353.747, or by any regulation or order;
  - (b) Omits or causes to be omitted from a report, record, account or memorandum full, true, and correct entries and information as required by KRS 353.500 to 353.720 or 353.735 to 353.747, or by any regulation or order;
  - (c) Removes from this Commonwealth or destroys, mutilates, alters or falsifies a report, record, account or memorandum required by KRS 353.500 to 353.720 or 353.735 to 353.747, or by any regulation or order.
- (4) Any person who knowingly aids or abets any other person in the violation of any provision of KRS 353.500 to 353.720 or 353.735 to 353.747, or any regulation or order promulgated or issued under KRS 353.500 to 353.720 or 353.735 to 353.747, shall be subject to the same penalty as that prescribed in this section for the violation by the other person.
- (5) All civil penalties recovered under this section shall be deposited into the oil and gas well plugging fund established in KRS 353.590(27) and shall be for the plugging of any abandoned wells coming within the authority of the department pursuant to this chapter.

**Effective:** June 27, 2019

**History:** Amended 2019 Ky. Acts ch. 21, sec. 9, effective June 27, 2019. -- Amended 1990 Ky. Acts ch. 10, sec. 1, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 244, sec. 2, effective January 1, 1985. -- Amended 1974 Ky. Acts ch. 45, sec. 8. --

Created 1960 Ky. Acts ch. 103, sec. 24, effective June 16, 1960.