

367.638 Liability for unfair, false, misleading, or deceptive act or practice in conduct of trade or commerce -- Civil penalties -- Powers of Attorney General.

- (1) A violation of KRS 367.632 shall be deemed an unfair, false, misleading, or deceptive act or practice in the conduct of trade or commerce in violation of KRS 367.170.
- (2) A public or private right or remedy prescribed by KRS 367.110 to 367.300 may be used to enforce KRS 367.630 to 367.638.
- (3) All of the remedies, powers, and duties delegated to the Attorney General by KRS 367.190 to 367.300, and the penalties provided in KRS 367.990, relating to acts and practices violating KRS 367.170, shall apply with equal force and effect to acts and practices declared unlawful by KRS 367.630 to 367.638.
- (4) A person who violates KRS 367.632 is liable to this Commonwealth for a civil penalty of not more than two thousand dollars (\$2,000) per violation. Each twenty-four (24) hour period for which a person does not comply with KRS 367.632 shall constitute a separate violation.
- (5) Nothing in KRS 367.630 to 367.638 shall be construed to limit or restrict the exercise of powers or the performance of the duties of the Attorney General authorized under any other provision of law.

Effective: July 14, 2022

History: Created 2022 Ky. Acts ch. 52, sec. 5, effective July 14, 2022.

Legislative Research Commission Note (7/14/2022). 2022 Ky. Acts ch. 52, sec. 9, provides that the Act, which created KRS 367.630 to 367.638 and 365.780 to 365.784, may be cited as the Kentucky True Origin of Digital Goods and Truth in Musical Advertising Act.