

365.784 Powers of Attorney General or county attorney -- Civil penalty -- Remedies.

- (1) The Attorney General or county attorney may bring a civil action for temporary or permanent injunctive relief against a person, if the Attorney General or county attorney has reason to believe a person is advertising, conducting, or intends to advertise or conduct a live musical performance or production in violation of KRS 365.782
- (2) A person who violates KRS 365.782 shall be assessed a civil penalty of not less than two thousand dollars (\$2,000) or more than fifteen thousand dollars (\$15,000) per violation. Each performance or production in violation of KRS 365.782 constitutes a separate violation.
- (3) The civil penalty provided by subsection (2) of this section is in addition to injunctive relief and any other remedy that may be available.
- (4) Any party, or assignee, authorized agent, or licensee of that party, who is injured as a result of a person's violation of KRS 365.782 may bring a civil action for compensable damages and equitable relief, including injunctive relief, and for treble damages, reasonable attorney's fees, filing fees, and costs for the injured party.
- (5) Each performance or production in violation of KRS 365.782 constitutes a separate violation.

Effective: July 14, 2022

History: Created 2022 Ky. Acts ch. 52, sec. 8, 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.