

**286.3-027 Prohibition against use of certain banking-related words and characters or financial institution trademarks by unauthorized person -- Exceptions -- Enforcement and penalties.**

- (1) Except as provided in subsection (2) of this section, a person doing business in this state shall not use the term "bank," "banker," "banking," "trust," or a similar term, which may include without limitation a character, ideogram, phonogram, phrase, or foreign language word, in its name, including any use of the name on stationery or marketing material or in solicitations or advertising, in a manner that would imply to the public that the person is engaged in the banking or trust business.
- (2) A person may use a term prohibited by subsection (1) of this section if the person is authorized:
  - (a) Under its charter, or the laws of this state or the United States, to use the term in its name; and
  - (b) By the laws of this state or the United States to conduct the activities in which it is engaged in this state.
- (3)
  - (a) The commissioner shall levy a civil penalty against any person that violates this section.
  - (b) The civil penalty shall be not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) per violation, plus the state's costs and expenses for the examination, investigation, and prosecution of the matter, including reasonable attorney's fees and court costs.

**Effective:** April 4, 2024

**History:** Repealed, reenacted, and amended 2024 Ky. Acts ch. 76, sec. 1, effective April 4, 2024. -- Amended 2010 Ky. Acts ch. 28, sec. 1, effective July 15, 2010. -- Created 2006 Ky. Acts ch. 183, sec. 1, effective July 12, 2006.

**Legislative Research Commission Note (7/12/2006).** This section was created in 2006 Ky. Acts ch. 183 as a new section of KRS Chapter 287. In that same session, 2006 Ky. Acts ch. 247, sec. 38 required that all sections of KRS Chapters 287, 288, 290, 291, 294, 366, 366A, and 368 be renumbered as sections of a single KRS chapter entitled the "Kentucky Financial Services Code." Therefore, the Statute Reviser, acting under KRS 7.136(1), has codified this section as a new section of KRS Chapter 286.

**Formerly codified as KRS 286.2-685.**