

304.12-120 Desist order for defined or prohibited practices.

- (1) If, after a hearing conducted in accordance with KRS Chapter 13B, the commissioner finds that any person in this state has engaged or is engaging in any act or practice defined in or prohibited under this subtitle, the commissioner shall order the person to desist from the act or practice.
- (2) A desist order shall become final upon expiration of the time allowed for appeals from the commissioner's final order, if no appeal is taken, or, in the event of an appeal, upon final decision of the court if the court affirms the commissioner's final order or dismisses the appeal. An intervenor in such hearing shall have the right to appeal as provided in subsection (3) of KRS 304.12-130.
- (3) In an appeal, to the extent that the commissioner's final order is affirmed, the court shall issue its own order commanding obedience to the terms of the commissioner's final order.
- (4) No final order of the commissioner pursuant to this section or order of court to enforce it shall in any way relieve or absolve any person affected by the order from any other liability, penalty, or forfeiture under law.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1109, effective July 15, 2010. -- Amended 1996 Ky. Acts ch. 318, sec. 232, effective July 15, 1996. -- Created 1970 Ky. Acts ch. 301, subtit. 12, sec. 12, effective June 18, 1970.