154A.990 Penalties.

(1) (a) Any person who knowingly sells a lottery ticket to a person under eighteen (18) years of age shall be guilty of a violation for the first offense and for each subsequent offense shall be guilty of a Class B misdemeanor.

(b) Any lottery retailer who violates KRS 154A.450 shall be notified by the corporation in writing that the retailer shall have thirty (30) days in which to correct the violation. If at the end of that thirty (30) day period the violation is not corrected, the corporation shall remove all lottery vending machines from the retailer's premises.

(2) Any person who, with intent to defraud, falsely makes, alters, forges, utters, passes, or counterfeits a state lottery ticket shall be guilty of a Class C felony.

(3) Any person who influences or attempts to influence the winning of a prize through the use of coercion, fraud, deception, or tampering with lottery equipment or materials shall be guilty of a Class B felony.

(4) Any person who violates the provisions of KRS 154A.030(2) shall be guilty of a Class D felony and shall be removed from the board.

(5) Any person who violates the provisions of KRS 154A.080(2) shall be fined not less than five thousand dollars ($5,000) nor more than fifty thousand dollars ($50,000) and shall be guilty of a Class D felony.

(6) Any person who violates the provisions of KRS 154A.080(3) shall be guilty of a Class D felony.

(7) Any person who violates the provisions of KRS 154A.080(4) shall be guilty of a Class A misdemeanor.

(8) Any person, including any retailer and any officers, directors, or employees of a corporate retailer, any general partner or employee of a retailer which is a partnership or joint venture, or any owner or employee of a retailer which is a sole proprietorship, who willfully violates the provisions of KRS 154A.420(1) shall be fined not less than one thousand dollars ($1,000) nor more than ten thousand dollars ($10,000) and shall be guilty of a Class D felony.

(9) Any person who violates the provisions of KRS 154A.440(1) for the first offense shall be guilty of a violation and for each subsequent offense shall be guilty of a Class B misdemeanor.

(10) Any person violating KRS 154A.160(2) is guilty of a Class D felony.

(11) Any person who knowingly provides false or intentionally misleading information to the corporation in connection with a background investigation prior to employment pursuant to KRS 154A.080(5), an application for a lottery retailer certificate under KRS 154A.400, the corporation's investigation of prospective vendors pursuant to KRS 154A.600, or any investigation by the corporation's Division of Security shall be fined not less than one thousand dollars ($1,000) nor more than ten thousand dollars ($10,000), and shall be guilty of a Class D felony.

(12) Unless the corporation shall have promulgated administrative regulations governing its procurements under KRS 154A.120(1), the provisions of KRS 45A.990(1) to

45A.990(8) shall be deemed to apply to procurement activities conducted under this chapter which are governed by KRS Chapter 45A. If the corporation has promulgated administrative regulations governing its procurements, any person who willfully violates the administrative regulations shall be guilty of a Class A misdemeanor.

Effective: March 16, 2005

History: Amended 2005 Ky. Acts ch. 105, sec. 12, effective March 16, 2005. -- Amended 2002 Ky. Acts ch. 205, sec. 2, effective July 15, 2002. -- Amended 1994 Ky. Acts ch. 170, sec. 12, effective July 15, 1994. â€“ Amended 1992 Ky. Acts ch. 463, sec. 18, effective July 14, 1992. -- Created 1988 (1st Extra. Sess.) Ky. Acts ch. 1, secs. 25 and 29, effective December 15, 1988.

Legislative Research Commission Note (1988). Although references to the sale of "shares" were deleted in the Senate committee substitute, due to a clerical error, such reference was not deleted in subsection (2) of this section. The Reviser of Statutes, pursuant to KRS 7.136, has removed the words "or shares" to conform.