

164.6929 Right of action of educational institution for damages caused by violation of KRS 164.6901 to 164.6935.

- (1) An educational institution has a right of action against an athlete agent or a former student-athlete for damages caused by a violation of KRS 164.6901 to 164.6935. In an action under this section, the court may award to the prevailing party costs and reasonable attorney's fees.
- (2) Damages of an educational institution under subsection (1) of this section include losses and expenses incurred because, as a result of the conduct of an athlete agent or former student-athlete, the educational institution was injured by a violation of KRS 164.6901 to 164.6935 or was penalized, disqualified, or suspended from participation in athletics by a national association for the promotion and regulation of athletics, by an athletic conference, or by reasonable self-imposed disciplinary action taken to mitigate sanctions likely to be imposed by such an organization.
- (3) A right of action under this section does not accrue until the educational institution discovers or by the exercise of reasonable diligence would have discovered the violation by the athlete agent or former student-athlete.
- (4) Any liability of the athlete agent or the former student-athlete under this section is several and not joint.
- (5) The department may assess a civil penalty against an athlete agent not to exceed twenty-five thousand dollars (\$25,000) for a violation of KRS 164.6901 to 164.6935.
- (6) KRS 164.6901 to 164.6935 does not restrict rights, remedies, or defenses of any person under law or equity.

Effective: April 11, 2017

History: Amended 2017 Ky. Acts ch. 178, sec. 16, effective April 11, 2017. -- Amended 2010 Ky. Acts ch. 24, sec. 221, effective July 15, 2010. -- Repealed and reenacted 2003 Ky. Acts ch. 172, sec. 15, effective June 24, 2003. -- Created 1998 Ky. Acts ch. 259, sec. 7, effective July 15, 1998.

Formerly codified as KRS 164.686.