

227.620 Application for license -- Fees -- Fund -- Business location specified -- Reports and records.

- (1) A retailer shall not engage in business in this state without a license issued by the department pursuant to KRS 227.550 to 227.660.
- (2) Application for license shall be made to the department or its designee at such time, in such form and contain such information as the department shall require and shall be accompanied by the required fee. The department may require in the application, or otherwise, any information it deems essential to safeguarding the public interest in the locality in which the applicant proposes to engage in business, all of which may be considered by the department in determining the fitness of the applicant to engage in business as set forth in KRS 227.550 to 227.660.
- (3) All licenses shall be granted or refused within thirty (30) days after the application is received. The initial license for a retailer shall expire on the last day of the licensee's birth month in the following year. The department may reduce the license fee on a pro rata basis for initial licenses issued for less than twelve (12) months. Renewed licenses shall expire on the last day of the licensee's birth month of each year after the date of issuance of the renewed license.
- (4) (a) The license fee for a calendar year or part thereof shall be established by the department, subject to the following maximums:
 1. For manufacturers, a "certificate of acceptability" shall be subject to a maximum of five hundred dollars (\$500);
 2. For retailers, the maximum license fee shall be two hundred fifty dollars (\$250) for each established place of business;
 3. The fee for a "Class B Seal" for recreational vehicles shall be twenty-five dollars (\$25) per seal and the application form and seal shall be made available from the department; and
 4. The fee for a "Class B1 Seal" and "Class B2 Seal" for manufactured and mobile homes shall be established by the department subject to a maximum of twenty-five dollars (\$25) per seal.
- (b) The department may establish a monitoring inspection fee in an amount established by the secretary. This monitoring inspection fee shall be an amount paid by each manufactured home manufacturer in this state for each manufactured home produced by the manufacturer in this state. The monitoring inspection fee shall be paid by the manufacturer to the secretary or the secretary's agent, who shall distribute the fees collected from all manufactured home manufacturers among the states approved and conditionally approved by the secretary based on the number of new manufactured homes whose first location after leaving the manufacturing plant is on the premises of a distributor, retailer, or purchaser in that state, and the extent of participation of the state in the joint team monitoring program established under the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended.
- (5) All revenues raised under subsection (4)(a), (b), and (c) of this section, and funds paid to the state by the secretary under subsection (4)(d) of this section

shall be deposited in a trust and agency fund and shall be used solely for the purpose of carrying out KRS 227.550 to 227.660 and other departmental responsibilities. No amount of the trust and agency fund shall lapse at the end of any fiscal year.

- (6) The licenses of retailers shall specify the location of the established place of business and shall be conspicuously displayed there. If the location denoted on the license changes, the retailer shall notify the department of the change, and the department shall update the change of location on the license without charge if it be within the same municipality. A change of location to another municipality or to a county which is not adjacent to the county where the business is located shall require a new license.
- (7) Every retailer licensed in accordance with this section shall make reports to the department at times specified by the department and containing any information the department may require.
- (8) Each manufacturer, distributor of manufactured homes or mobile homes, and retailer of manufactured or mobile homes shall establish and maintain records, make reports, and provide any information the department or the secretary may reasonably require to determine whether the manufacturer, distributor, or retailer has acted or is acting in compliance with KRS 227.550 to 227.660 or the federal act. A manufacturer, distributor of manufactured homes or mobile homes, and retailer of manufactured or mobile homes shall, upon request of a person duly designated by the department or secretary, permit that person to inspect appropriate books, papers, records, and documents relevant to determining whether the manufacturer, distributor, or retailer has acted or is acting in compliance with KRS 227.550 to 227.660 or the federal act.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 169, sec. 80, effective June 29, 2017. -- Amended 2010 Ky. Acts ch. 24, sec. 420, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 217, sec. 6, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 182, sec. 2, effective June 20, 2005. -- Amended 2004 Ky. Acts ch. 74, sec. 9, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 340, sec. 8, effective July 15, 1996. -- Amended 1980 Ky. Acts ch. 200, sec. 7, effective July 15, 1980. -- Amended 1979 (1st Extra. Sess.) Ky. Acts ch. 19, sec. 12, effective May 12, 1979. -- Amended 1976 Ky. Acts ch. 136, sec. 7. -- Created 1974 Ky. Acts ch. 76, sec. 8.

2016-2018 Budget Reference. See State/Executive Branch Budget, 2016 Ky. Acts ch. 149, Pt. I, L, 8, (1) at 1094.

Legislative Research Commission Note (6/29/2017). The Reviser of Statutes has changed the way subsection (4) of this statute was internally numbered from the way it appeared in 2017 Ky. Acts ch. 169, sec. 80 under the authority of KRS 7.136(1).