

### **199.990 Penalties.**

- (1) Any person who violates any of the provisions of KRS 199.430, 199.470, 199.473, 199.570, 199.572, and 199.590 except subsection (2), or 199.640 to 199.670, or any rule or regulation under such sections the violation of which is made unlawful shall be fined not less than five hundred dollars (\$500) nor more than two thousand dollars (\$2,000) or imprisoned for not more than six (6) months, or both. Each day such violation continues shall constitute a separate offense.
- (2) Any person who willfully violates any other of the provisions of KRS 199.420 to 199.670 or any rule or regulation thereunder, the violation of which is made unlawful under the terms of those sections, and for which no other penalty is prescribed in those sections, or in any other applicable statute, shall be fined not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) or imprisoned for not more than thirty (30) days, or both.
- (3) Any violation of the regulations, standards, or requirements of the cabinet under the provisions of KRS 199.896 that poses an immediate threat to the health, safety, or welfare of any child served by the child-care center shall be subject to a civil penalty of no more than one thousand dollars (\$1,000) for each occurrence. Treble penalties shall be assessed for two (2) or more violations within twelve (12) months. All money collected as a result of civil penalties assessed under the provisions of KRS 199.896 shall be paid into the State Treasury and credited to a special fund for the purpose of the Early Childhood Scholarship Program created in accordance with KRS 164.518. The balance of the fund shall not lapse to the general fund at the end of each biennium.
- (4) A person who commits a violation of the regulations, standards, or requirements of the cabinet under the provisions of KRS 199.896 shall be fined not less than one thousand dollars (\$1,000) or imprisoned for not more than twelve (12) months, or be fined and imprisoned, at the discretion of the court.
- (5) Any person who violates any of the provisions of KRS 199.590(2) shall be guilty of a Class D felony.
- (6) Any person who knowingly or intentionally registers false information under KRS 199.503(4) shall be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than twelve (12) months, or be fined and imprisoned, at the discretion of the court.
- (7) Any person who knowingly or intentionally releases or requests confidential information in violation of KRS 199.503(8) or (9) or in violation of KRS 199.505 shall be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than twelve (12) months, or be fined and imprisoned, at the discretion of the court. It is a defense under this subsection if the cabinet releases confidential information while acting in good faith and with reasonable diligence.

**Effective:** July 14, 2018

**History:** Amended 2018 Ky. Acts ch. 112, sec. 4, effective July 14, 2018; and ch. 159, sec. 31, effective July 14, 2018. -- Amended 2004 Ky. Acts ch. 186, sec. 10, effective July 13, 2004. -- Amended 2000 Ky. Acts ch. 308, sec. 24, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 242, sec. 13, effective July 15, 1994. -- Amended 1986

Ky. Acts ch. 423, sec. 196, effective July 1, 1987. -- Amended 1980 Ky. Acts ch. 188, sec. 1, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 66, sec. 3, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 142, sec. 3. -- Amended 1970 Ky. Acts ch. 270, sec. 1. -- Amended 1964 Ky. Acts ch. 85, sec. 5. -- Amended 1962 Ky. Acts ch. 196, sec. 4; and ch. 211, sec. 6; and ch. 212, sec. 12. -- Amended 1952 Ky. Acts ch. 161, sec. 61. -- Amended 1950 Ky. Acts ch. 125, sec. 31. -- Amended 1946 Ky. Acts ch. 13, sec. 5. -- Amended 1944 Ky. Acts ch. 77, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 326, 327, 330, 331c-1, 331c-3, 331e-4, 331g-1, 331g-2, 331g-3.

**Legislative Research Commission Note** (7/14/2018). This statute was amended by 2018 Ky. Acts chs. 112 and 159, which do not appear to be in conflict and have been codified together.

**Note:** This section was amended by 1980 Ky. Acts ch. 280, sec. 147, which was to have become effective July 1, 1982. Thereafter, 1982 Ky. Acts ch. 284 changed the effective date of that act to July 15, 1984. Then, 1984 Ky. Acts ch. 184 repealed both 1980 Ky. Acts ch. 280, and 1982 Ky. Acts ch. 284.