

251.355 Grain dealer license and grain warehouse operator license -- Department's authority to issue and administer licenses -- Administrative regulations -- Fees -- Suspension or revocation of licenses.

- (1) No person shall be or act as a grain dealer in the Commonwealth without holding a valid grain dealer license issued by the department.
- (2) No person shall engage in the business of buying grain from producers for resale, milling, or processing in the Commonwealth without holding a valid grain dealer license issued by the department; provided, however, that no license shall be required in order to buy grain from sellers who are not producers of grain.
- (3) No person shall be or act as a grain warehouse operator in the Commonwealth without holding a valid grain warehouse operator license issued by the department.
- (4) No person shall own, control, operate, or manage any public warehouse in which grain is stored for compensation in the Commonwealth without holding a valid grain warehouse operator license issued by the department.
- (5) Any person who possesses unpaid-grain for more than thirty (30) days shall be deemed to be acting as a grain warehouse operator and shall be subject to the licensing and financial requirements for grain warehouse operators under the provisions of this chapter.
- (6) Licenses issued by the department shall be valid for a period of time not to exceed one (1) year and shall expire on June 30 each year.
- (7) A separate license shall be required for each facility in the Commonwealth.
- (8) The board, in conjunction with the department, shall promulgate administrative regulations setting forth a schedule of fees for licensed grain warehouse operators. Any changes to the schedule of fees shall be approved by a majority vote of the board. The schedule of fees shall be reviewed by the board at least one (1) time every four (4) years. The annual increase in board-approved license fees shall be limited to five percent (5%) and shall not exceed twenty percent (20%) over any four (4) year period.
- (9) The board, in conjunction with the department, shall promulgate administrative regulations setting forth a schedule of fees for licensed grain dealers. Any changes to the schedule of fees shall be approved by a majority vote of the board. The schedule of fees shall be reviewed by the board at least one (1) time every four (4) years. The annual increase in board-approved license fees shall be limited to five percent (5%) and shall not exceed twenty percent (20%) over any four (4) year period.
- (10) The department shall have the authority to suspend or revoke a license if the board or department determines the licensee has violated a provision of this chapter or any administrative regulation promulgated under this chapter.

Effective: August 1, 2019

History: Created 2019 Ky. Acts ch. 88, sec. 7, effective August 1, 2019.