

292.322 Securities fraud prosecution and prevention fund.

- (1) There is hereby created in the State Treasury a trust and revolving fund designated as the "securities fraud prosecution and prevention fund."
- (2) The commissioner may designate that all or a portion of the civil fines imposed for violations of this chapter or administrative regulations, or orders issued pursuant to this chapter, be deposited into the fund established in subsection (1) of this section.
- (3) The fund established by subsection (1) of this section may also receive additional state appropriations, gifts, grants, and federal funds.
- (4) Expenditures from the fund established by subsection (1) of this section may be used to assist in criminal prosecution of fraudulent activities under this chapter, for training and equipment related to prevention, detection, and investigation of securities fraud, and for investor education.
- (5) The money deposited into the fund is hereby appropriated for the uses set forth in subsection (4) of this section. Notwithstanding KRS 45.229, any money remaining in the fund at the close of any calendar year shall not lapse but shall be carried forward to the next calendar year. All interest earned on money in the fund shall be credited to the fund.
- (6) The commissioner is responsible for the distribution of moneys in the fund and shall, in consultation with the Attorney General and local prosecutors, develop and promulgate administrative regulations for the use of those moneys.

Effective: July 15, 2010

History: Created 2010 Ky. Acts ch. 82, sec. 16, effective July 15, 2010.

Legislative Research Commission Note (7/15/2010). References to the "executive director" of financial institutions in subsections (2) and (6) of this section, as created by 2010 Ky. Acts ch. 82, sec. 16, have been changed in codification to the "commissioner" of financial institutions to reflect the reorganization of certain parts of the Executive Branch, as set forth in Executive Orders 2009-535 and 2009-1086 and confirmed by the General Assembly in 2010 Ky. Acts ch. 24. These changes were made by the Reviser of Statutes pursuant to 2010 Ky. Acts ch. 24, sec. 1938.