

309.448 Sanctions for misconduct -- Board's powers -- Appeals.

- (1) Subject to an administrative hearing conducted in accordance with KRS Chapter 13B, the board may revoke, suspend, or restrict the registration of a registrant, refuse to issue or renew registration, reprimand, censure, place on probation, or impose a fine not to exceed one thousand dollars (\$1,000) per occurrence on a certified person or business entity who:
 - (a) Has been convicted of a felony under the laws of the Commonwealth of any crime that involves theft or dishonesty, or is a sex crime as defined by KRS 17.500;
 - (b) Has had disciplinary action taken against a professional license, certification, registration, or permit held by the person or business entity seeking registration;
 - (c) Engaged in fraud or deceit in obtaining certification or registration;
 - (d) Attempts to transfer the authority granted by the registration to another person or business entity;
 - (e) Disregards or violates the building codes, electrical codes, or related laws of this Commonwealth or ordinances of any city, county, urban-county government, consolidated local government, charter county government, or unified local government;
 - (f) Aids or abets any person attempting to evade the provisions of KRS 309.430 to 309.454 or the administrative regulations promulgated by the board;
 - (g) Uses unfair or deceptive trade practices; or
 - (h) Knowingly violates any of the provisions of KRS 309.430 to 309.454 or any administrative regulation promulgated by the board.
- (2) If an application for registration or renewal of registration is denied, the person or business entity seeking registration shall not conduct radon measurement, mitigation, or laboratory analysis within the Commonwealth of Kentucky.
- (3) Notwithstanding the existence or pursuit of any other civil or criminal remedy, the board may institute proceedings in the Circuit Court of the county where the person resides or the business entity is located for an order enjoining the person or business entity from engaging or attempting to engage in activities that violate any provisions of KRS 309.430 to 309.454 or any administrative regulation promulgated by the board.
- (4) Any final order of the board may be appealed to the Circuit Court of the county in which the person resides or the business entity is located after a written decision is rendered in accordance with KRS Chapter 13B.

Effective: July 14, 2022

History: Repealed, reenacted, and amended 2022 Ky. Acts ch. 73, sec. 10, effective July 14, 2022. -- Amended 2019 Ky. Acts ch. 159, sec. 10, effective June 27, 2019. -- Amended 2017 Ky. Acts ch. 158, sec. 37, effective June 29, 2017. -- Created 2011 Ky. Acts ch. 74, sec. 13, effective June 8, 2011

Formerly codified as KRS 211.9125.