

1 AN ACT relating to sales and use taxes.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 139.990 is amended to read as follows:

4 (1) Any person who executes:

5 (a) A resale certificate for property in accordance with KRS 139.270 knowing at
6 the time of purchase that such property is not to be resold by the person~~[him]~~
7 in the regular course of business, for the purpose of evading the tax imposed
8 under this chapter;

9 (b) An exemption certificate or a Streamlined Sales and Use Tax Agreement
10 Certificate of Exemption for property in accordance with KRS 139.270,
11 knowing at the time of the purchase that the person~~[he]~~ is not engaged in an
12 occupation that would entitle him or her to exemption status or any person
13 who does not intend to use the property in the prescribed manner; or

14 (c) A direct pay authorization for property not in accordance with an
15 administrative regulation promulgated by the department governing direct pay
16 authorizations;

17 shall be guilty of a Class B misdemeanor.

18 (2) A person who engages in business as a seller in this state without a permit or
19 permits as required by this chapter or after a permit has been suspended, and each
20 officer of any corporation which is so engaged in business, shall be guilty of a Class
21 B misdemeanor.

22 (3) Any person who violates any of the provisions of KRS 139.220, 139.380, or
23 139.700 shall be guilty of a Class B misdemeanor.

24 (4) Any person who violates any of the regulations promulgated by the department shall
25 be guilty of a Class B misdemeanor.

26 (5) Any person, business, or motion picture production company falsifying expenditure
27 reports, applications, or any other statements made in securing the tax credit

1 afforded by KRS 139.538 shall be guilty of a Class D felony. Such motion picture
2 production companies shall be denied any tax credit to which they would otherwise
3 be entitled, and shall be prohibited from applying for any future credit afforded by
4 KRS 139.538.