

## 2023 Kansas Statutes

**74-32,178a. Civil penalties for violations of act.** (a) In addition to, or as an alternative to any penalty that may be imposed pursuant to this act, the state board, after proper notice and an opportunity to be heard, may assess a civil fine against an institution with a certificate of approval for a violation of this act or any rules and regulations adopted pursuant to this act. For the first violation, the amount of such fine shall be up to 1% of the institution's tuition revenue, but shall not be less than \$125 and not more than \$15,000. For any subsequent violation, the amount of such fine shall be up to 2% of the institution's tuition revenue, but shall not be less than \$250 and not more than \$20,000. On and after July 1, 2021, any such fines and administrative costs for collecting such fines may be assessed against the institution's surety bond.

(b) All moneys collected pursuant to this section shall be remitted to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(c) Fines assessed under this section shall be considered administrative fines pursuant to 11 U.S.C. § 523.

**History:** L. 2021, ch. 17, § 4; July 1.