

Effective 5/12/2015

13-49-402 Violations -- Actions by division.

- (1) The division may make an investigation the division considers necessary to determine whether a person is violating, has violated, or is about to violate this chapter or any rule made or order issued under this chapter. As part of the investigation, the division may:
 - (a) require a person to file a statement in writing;
 - (b) administer oaths, subpoena witnesses and compel their attendance, take evidence, and examine under oath any person in connection with an investigation; and
 - (c) require the production of any books, papers, documents, merchandise, or other material relevant to the investigation.
- (2) A person who violates this chapter is subject to:
 - (a) a cease and desist order; and
 - (b) an administrative fine of not less than \$1,000 or more than \$5,000 for each separate violation.
- (3) An administrative fine shall be deposited in the Consumer Protection Education and Training Fund created in Section 13-2-8.
- (4)
 - (a) A person who intentionally violates this chapter:
 - (i) is guilty of a class A misdemeanor; and
 - (ii) may be fined up to \$10,000.
 - (b) A person intentionally violates this part if the violation occurs after the division, attorney general, or a district or county attorney notifies the person by certified mail that the person is in violation of this chapter.

Amended by Chapter 236, 2015 General Session