



# **Administrative Regulation Updates**

**LRC Administrative Regulations Office**

**Continuing Legal Education**

**June 29, 2026**

# About Our Office

- The Administrative Regulations Office fulfills statutory requirements related to administrative regulations
- KRS 13A.020 and 030 establish a permanent subcommittee of the Legislative Research Commission (LRC) to review **New, Emergency, and Existing** administrative regulations on a monthly basis – the ***Administrative Regulation Review Subcommittee (ARRS)***

# About Our Office

- KRS 13A.040 requires a **Regulations Compiler** to receive administrative regulations and other documents for filing, among other duties
- The Administrative Regulations Office is comprised of a ***compiling side*** and an ***analyst reviewing side***

# Compiler Duties (KRS 13A.040)

- Technical in nature
- Process all filings (similar to a court clerk)
- Publish the ***ADMINISTRATIVE REGISTER*** and manage online regulation information
- Maintain historical record of administrative regulations
- Keep material incorporated by reference

# Analyst Duties

- Review substantive content
- Ensure compliance with *statutory, regulatory,* and *constitutional* law
- Suggest non-policy changes for corrections or compliance
- Assist with in-process amendments
- Inform and update ARRS members



***Karen Howard  
CSA***



***Sarah Amburgey  
Regs Analyst***



***Emily Harkenrider  
Regs Analyst***



***Carrie Nichols  
Regs Analyst***



***Stacy Auterson  
Regs Analyst***



***Laura Begin  
Regs Analyst***



***Ange Darnell  
Regs Compiler***



***Anna Latek  
Cmte Assistant***



***Callie Lewis  
Admin Assistant***

# The Purpose of Regulations (KRS 13A.100)

- Required by **STATUTE** (*"The cabinet shall **promulgate administrative regulations** to..."*)
- Contain a statement of general applicability, policy, procedure, memorandum, or other action that implements; interprets; prescribes law or policy... ; or affects **private rights or procedures available to the public**



# The Purpose of Regulations (KRS 13A.100)

- Establish application processes for licenses, benefits, etc.
- Establish **FEES**
- Establish supplemental hearing or disciplinary procedures

# The Importance of Regulations

- Impact citizens statewide
- Govern wide variety of programs affecting everyday life
- Can be enacted on an **emergency basis** (specific criteria)
- Executive and legislative branches involved in reg process – **separation of powers and oversight**

# Regulation Process – Six Phases

Drafting

Filing

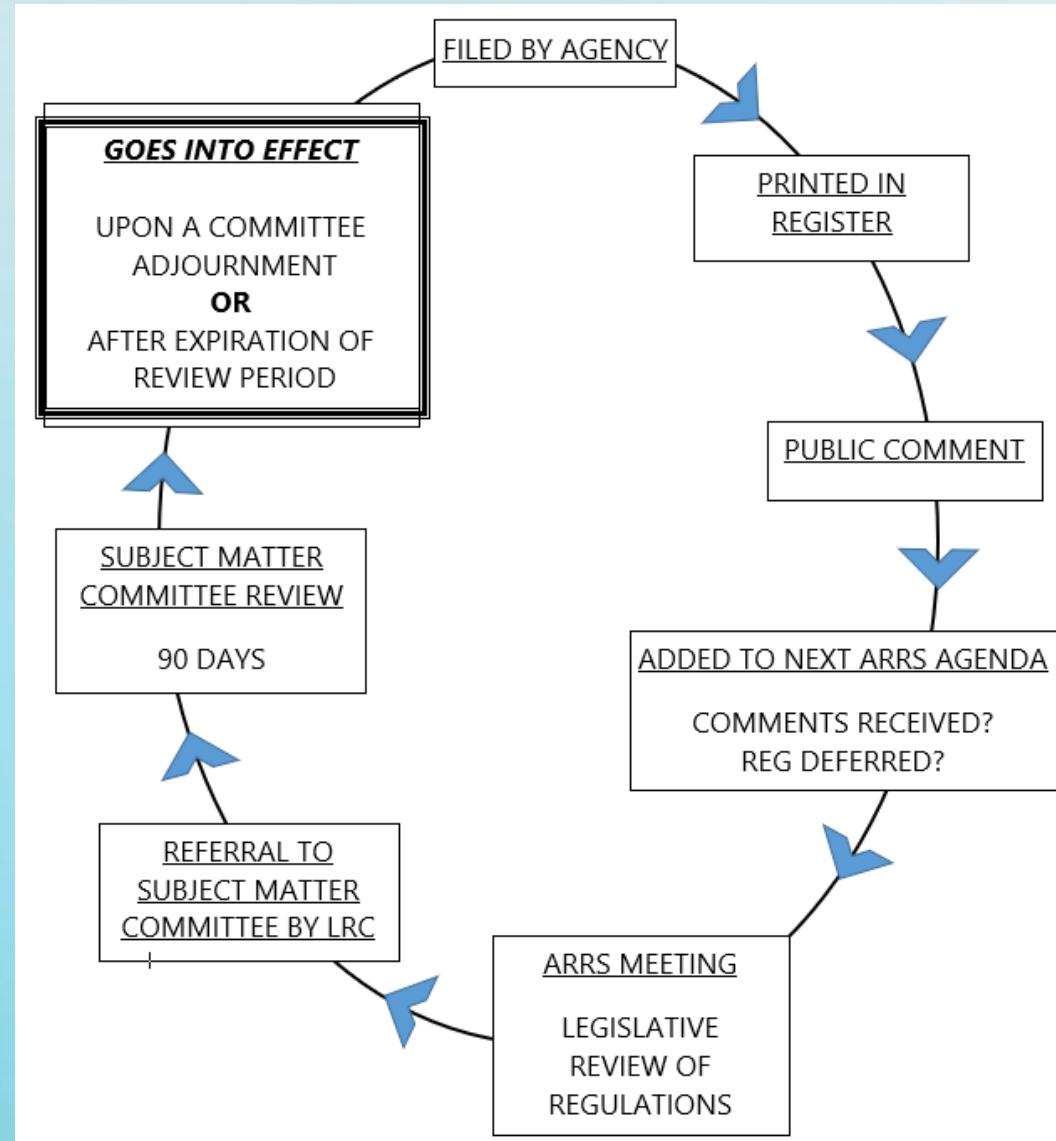
Publication

Comment Period

Legislative  
Review

Effective Date

# Regulation Process (New or Amended)



# Reg Filing Data

Reg Filings Over the Years



# Regulations in the News!

## SNAKE BITES!

### Ky. EMS crew faces hearing after giving antivenom to save reptile zoo director

Powell County EMS crew faces a hearing after learning that only wilderness paramedics can administer antivenom

September 25, 2025 11:50 AM • **Bill Carey**



Photo free to use from [unsplash.com](https://unsplash.com)



# Medical Cannabis



## Kentucky Governor Backs Longer List of Conditions Eligible for Treatment Under Medical Marijuana Law



Kentucky Gov. Andy Beshear says access to medical marijuana in the state should expand to include more health conditions

By [Associated Press](#) | Jan. 4, 2024, at 5:57 p.m.

## State OIG finds KY medical marijuana licensing process 'fair and transparent'

[Ruby Grisin](#) and [Marina Johnson](#) Louisville Courier Journal

May 8, 2026, 2:41 p.m. ET

## Kentucky's medical cannabis industry finds footing: Expanding selection, lowering prices

by: [Madylin Goins](#)

Posted: Apr 9, 2026 / 02:34 PM EDT

Updated: Apr 9, 2026 / 10:36 PM EDT

# Lethal Injection/Death Penalty

U.S. NEWS

## Kentucky judge declines, for now, to lift ban on executions



BY DYLAN LOVAN

Updated 1:09 PM EDT, May 2, 2024

LOUISVILLE, Ky. (AP) — A Kentucky judge has declined to remove a court injunction that has blocked executions in the state for more than a decade.

Franklin County Circuit Judge Phillip Shepherd, whose order blocked Kentucky's lethal injections in 2010, wrote in a ruling Wednesday he would hold off on deciding on the ban, saying there have been changes to lethal injection regulations since then. He said there may also be constitutional questions about the new regulations that have to be settled.

## Kentucky AG joins 16-state letter asking feds to streamline death penalty

By Taylor Six

June 1, 2026 11:29 AM | Gift Article

## Kentucky AG asks judge to dismiss lawsuit that halted death penalty

By Taylor Six

Updated March 31, 2026 9:43 AM | Gift Article

# Fish & Wildlife – Variety of Issues

## Christian County boaters urged to stay sober, safe on water ahead of Memorial Day

The Kentucky Department of Fish and Wildlife Resources shared boating laws and tips ahead of Memorial Day weekend.

No regulation changes for current deer season after Ballard County deer tests positive for CWD

By DYLAN PAYNE | The Sun

DPAYNE@PADUCAHSUN.COM Dec 13, 2023

**THE TIMES LEADER**  
Monday, May 6, 2024

## Kentucky bans drones from being used to take fish or wildlife

BY: MCKENNA HORSLEY - OCTOBER 28, 2025 4:39 PM



## Kentucky Fish & Wildlife backs tighter rules for wakesports

Dalton Godbey Dec 5, 2025 | Updated May 15, 2026

## Kentucky to adjust hunting and fishing license prices later this month

WDRB Digital Staff Jan 5, 2026 | Updated Jan 5, 2026

# Optometric Examiner Licenses

Kentucky's optometry licensing process under fire following national review

BY CRYSTAL TISME | KENTUCKY  
PUBLISHED 7:00 PM ET DEC. 12, 2025

## Fixes to KY optometry licensing problems fall short, say national board, state lawmaker

BY: DEBORAH YETTER - APRIL 27, 2026 5:50 AM



## State board allows optometry graduates to practice without passing national exam

Concerns mount about care provided by some in that group

BY: DEBORAH YETTER - JUNE 2, 2026 5:30 AM

## Kentucky optometry licensing scandal expands to 30 eye doctors

State illegally waived testing requirements; nine additional doctors now under scrutiny

### COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

The General Assembly has expressly prohibited an administrative body from “modify[ing] a statute or administrative regulation” via its own “internal policy, memorandum, or other form of action.” KRS 13A.130(1)(a). In fact, any such modification “is null, void, and unenforceable.” KRS 13A.130(2). Only “[d]uly promulgated administrative regulations have the ‘force and effect of law.’” *Sprouse v. Commonwealth*, 662 S.W.3d 304, 307 (Ky. App. 2023).


**The Board acted beyond its authority in waiving licensure requirements without adhering to KRS Chapter 13A.**

# Recent Changes in the Reg Process

- How to find statutes governing regulation process
  - **KRS Chapter 13A**
  - Ask our office!
- Who makes changes and how?
  - Substantive – affecting the reg process
  - Technical – website



# Bills Filed Affecting Regs



Watch our monthly  
subcommittee  
meetings here!

- 2026 RS:
  - ❖ **14** bills filed amending KRS Chapter 13A
  - ❖ **56** other bills filed related to reg issues discussed at ARRS and elsewhere
- ***Admin Regs office*** tracks bills affecting regs, researches reg issues for legislators and other staff, and is additionally involved when requested

# Senate Bill 23 (RS 2025)

## 3 MAIN CHANGES:

- Establishes an **INFORMATIONAL REVIEW** process
- Requires greater agency **COOPERATION during committee meetings**
- Updates **DEFERRAL** procedures

\* *Signed by the **Governor***

# Senate Bill 23 (RS 2025)

## Establishes an INFORMATIONAL REVIEW process

- **NEW** preliminary level of review for **ORDINARY** regs
- Any time after filing
- **Discretionary** by committee (ARRS & subject matter committees)

# Senate Bill 23 (RS 2025)

## Establishes an INFORMATIONAL REVIEW process

- Must notify agency at least **5 calendar days** in advance
- Already existed for *Emergency* and *Effective* regs
- Regular review named "**FULL REVIEW**" to distinguish

# Senate Bill 23 (RS 2025)

## Establishes an INFORMATIONAL REVIEW process

- Allows committees to *review regs earlier*
- Allows committees to find out *more info* in advance of formal review

# Senate Bill 23 (RS 2025)

## Establishes an INFORMATIONAL REVIEW process

### **Provides committees authority to:**

- Ask questions
- Request additional information
- Amend (*if Emergency regulation*)
- Find deficient

# Senate Bill 23 (RS 2025)

## Establishes an INFORMATIONAL REVIEW process

- Provides legislative oversight earlier in process, even if deferred or in public comment period
- Enables committees, agencies, and public to be better informed before full review
- *Increases transparency*

# Senate Bill 23 (RS 2025)

## Requires Greater AGENCY COOPERATION

Promulgating agency shall:

- Appear and make *good faith effort* to answer questions
- Provide any requested **information or data**

# Senate Bill 23 (RS 2025)

## Requires Greater AGENCY COOPERATION

Promulgating agency must:

- Have **authority to act for the agency**, including:
  - ❖ Answer any questions
  - ❖ Agree to deferral of informational review

# Senate Bill 23 (RS 2025)

## Requires Greater AGENCY COOPERATION

- ARRS and subject matter committees
- Informational and Full Review

# Senate Bill 23 (RS 2025)

Requires Greater AGENCY COOPERATION

**TEETH:**

New *Ground for Deficiency*

Reg can also be **DEFERRED** by committee

# Senate Bill 23 (RS 2025)

## Updates DEFERRAL procedures

- New **DEADLINE** for **ordinary** regs
- Agency must file deferral letter by **NOON, 5** *calendar days before the meeting*
- Applies: ARRS & subject matter committees
- Can still ask for deferral at meeting if deadline is missed or last-minute issue

# Senate Bill 23 (RS 2025)

## Updates DEFERRAL procedures

- All **subject matter committee** deferrals are *discretionary*
- No longer automatic for ordinary regs
- **Co-Chair approval** required

# House Bill 422 (RS 2025)

- Streamlines **filing procedures**
- Requires ***additional public notice***
- Statutory clarifications
- SB 23 conforming amendments

# House Bill 422 (RS 2025)

## Streamlines filing procedures

- Reduces number of **paper copies** when filing regulations, Statements of Consideration, and meeting amendments
- Makes it easier to file **Material Incorporated by Reference** by extending # of pages that can be attached to back of reg

# House Bill 422 (RS 2025)

## Streamlines filing procedures

- Removes redundant requirement that AAC changes must be itemized at end of SOC
- Allows **Agency Amendments** to be filed in **substitute** rather than amendment format
  - ❖ **Note:** Must also provide ***electronic copy***

# House Bill 422 (RS 2025)

## Requires additional public notice

- New notice requirements for promulgating agencies
- **Amended After Comments** regs:
  - ❖ Update *filing notice* on website; and
  - ❖ Send to **RegWatch** list

# House Bill 422 (RS 2025)

## Requires additional public notice

- **Agency Amendments:**
  - ❖ File revised **Fiscal Impact Analysis** form and **summary** of changes; and
  - ❖ Send to **RegWatch** list

# House Bill 422 (RS 2025)

## Requires additional public notice

- **Regulatory Impact Analysis and Tiering Statement**
  - ❖ Provide at least 3 subject index headings from compiler list
  - ❖ State whether reg implements **recent legislation**, and if so, specify

# House Bill 422 (RS 2025)

- **Fiscal Impact Statement**

- ❖ Must provide information for **subsequent years**

- **Fee Notice**

- ❖ Now required for **Emergency** regulations
- ❖ Can combine notice if identical to ordinary reg

# House Bill 422 (RS 2025)

## Statutory clarifications

- **Agency head signatures**
  - ❖ Electronic signatures must be **verified**
- **Technical Amendments**
  - ❖ Shall be filed in **substitute** format
  - ❖ Cannot affect the **scope** of the regulation

# House Bill 422 (RS 2025)

## Statutory clarifications

- **Subject matter committee deferrals**
  - ❖ Allowed **past 90 days** if ***requested*** by agency and ***approved*** by subject matter committee
  - ❖ One time only

# House Bill 422 (RS 2025)

## Statutory clarifications

### RegWatch

- Centralized state government website
- Function of **Executive Branch**

# House Bill 422 (RS 2025)

## Statutory clarifications

### RegWatch

- Updated requirements for **agencies**:
  - ❖ Shall request to be **added** if not already included
  - ❖ Shall maintain **list** of registrations and establish **method to transfer**
  - ❖ Shall update **contact person** and **subject areas** as needed

# House Bill 422 (RS 2025)

## Statutory clarifications

### RegWatch

- Updated requirements for **Commonwealth Office of Technology (COT)**:
  - ❖ Provide a **form** for agencies to submit needed updates; and
  - ❖ Update **agency contact information** and **subject areas** when requested by agency

# House Bill 422 (RS 2025)

## SB 23 Conforming amendments

- Informational reviews
- Greater agency cooperation
- Deferral procedures

# Senate Bill 84 (RS 2025)



This Photo by Unknown Author is licensed under [CC BY](#)

- *Chevron* deference legal issue
- Judicial review of administrative regulation is **de novo**
- Agency ***shall not*** have expectation or entitlement to **deference** by reviewing court
- Judges must exercise **independent judgment** regarding statute rather than giving deference to agency interpretation

# House Bill 695 (RS 2025)

- Created **Medicaid Oversight and Advisory Board (MOAB)** for review and comment (including on regs)
- Requires CHFS to obtain *specific authorization* from the General Assembly prior to making changes affecting **Medicaid eligibility, coverage, or benefits**
- Exceptions in specific circumstances

## House Bill 2 (RS 2026)

- Requires **Dept. for Medicaid Services (DMS)** to:
  - ❖ Submit draft regulations with detailed implementation plan to ***Medicaid Oversight and Advisory Board*** for review and comment; and
  - ❖ Consider any comments or recommendations before filing

## House Bill 904 (RS 2026)

- Exempts **KY Lottery Corporation** and **KY Horse Racing and Gaming Corporation** from specific regulatory requirements

## Senate Bill 65 (2021 - 2026)

- Deems specific administrative regulations or amendments to be ***Null, Void, & Unenforceable*** upon effective date
- Was first used in this way in 2021
- Has been filed and passed every year since
- General Assembly's ***checks and balances***

# Filing Change

- Downloading regs from website to prepare for filing (original and AAC)
  - ❖ LRC administrative regulations website

# Reg Filing Reminders

- Must file **electronic copy** of reg at same time as or prior to filing paper copy
- Electronic version supersedes
- **Required copies:**
  - ❖ Original and 4 copies for reg filing
  - ❖ Original and 15 copies for ARRS amendments

# Reg Filing Reminders

- **Filing deadlines** (*missing some of these may risk your reg*):
  - ❖ Regs – **Noon**, 15<sup>th</sup> of the month (or business day prior)
  - ❖ Letters required to be sent to Regs Compiler
  - ❖ Deferral requests – **Noon**, at least **5 calendar days** before ARRS



This Photo by Unknown Author is licensed under [CC BY](#)

# Reg Filing Reminders

- **Filing deadlines** (*missing some of these may risk your reg*):
  - ❖ Agency amendments – COB, at least **3 working days** before ARRS
  - ❖ Staff-suggested amendments – COB, end of week before ARRS (*preferred*)

# Reg Filing Reminders

- **Required notifications**

- ❖ Reg filing email/mail (RegWatch list), website update

- ❖ Fee notice

- ❖ Commission on Small Business Innovation and Advocacy

- ❖ Affected local government



# Reg Filing Reminders

- **Required notifications**
  - ❖ Amended after comments filing email, website update
  - ❖ Agency amendment filing email
- List of prohibited words and phrases in **KRS**  
**13A.222**

# Reg Filing Reminders

- Agency obligation to **review** reg ***within 5 days*** of Register publication and **notify** our office of errors

❖ Administrative Register

❖ Subscribing to or checking the Register



# Reg Filing Reminders

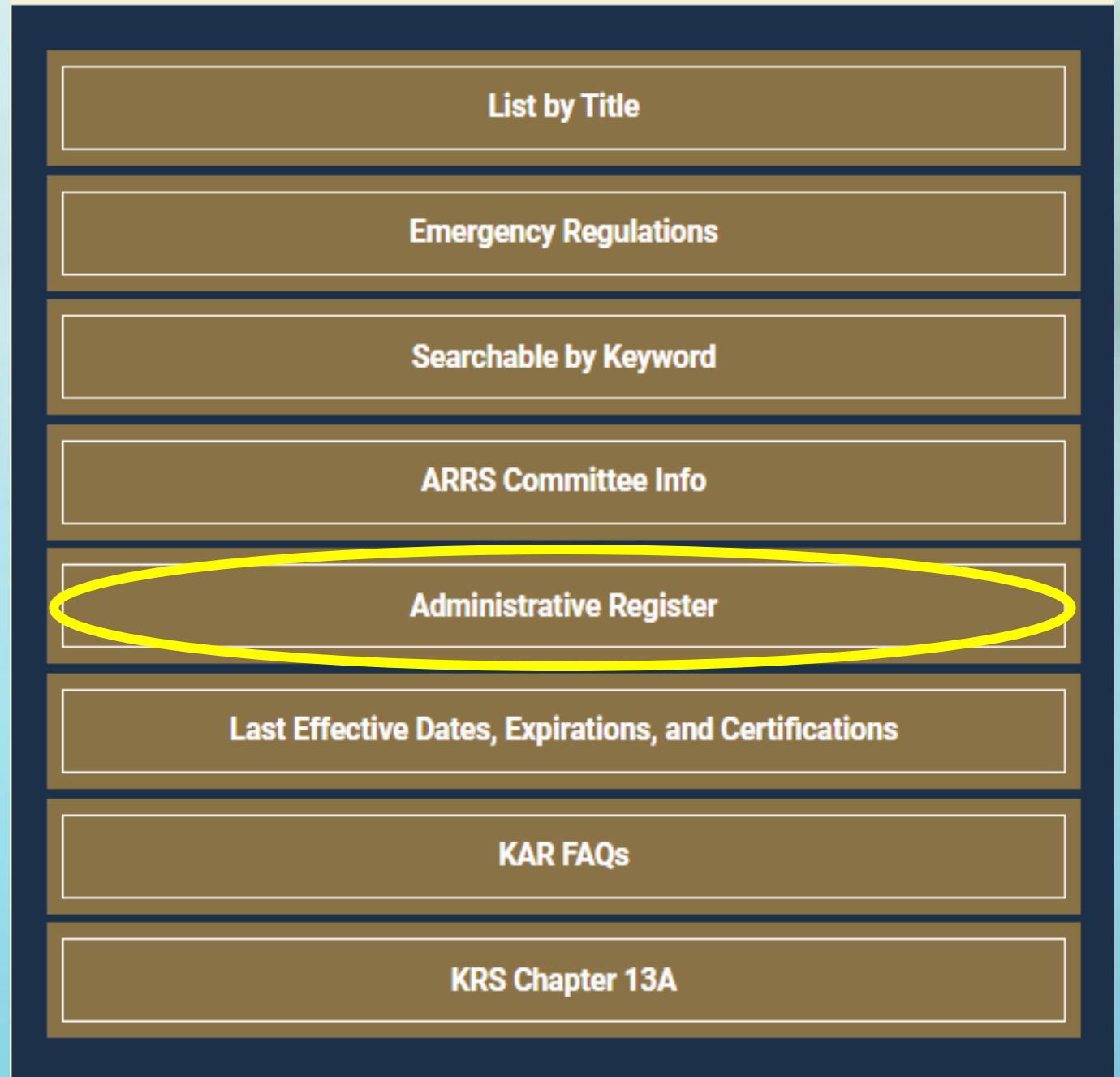
Check

[online reg version](#)



Kentucky Law ▾ Public Se

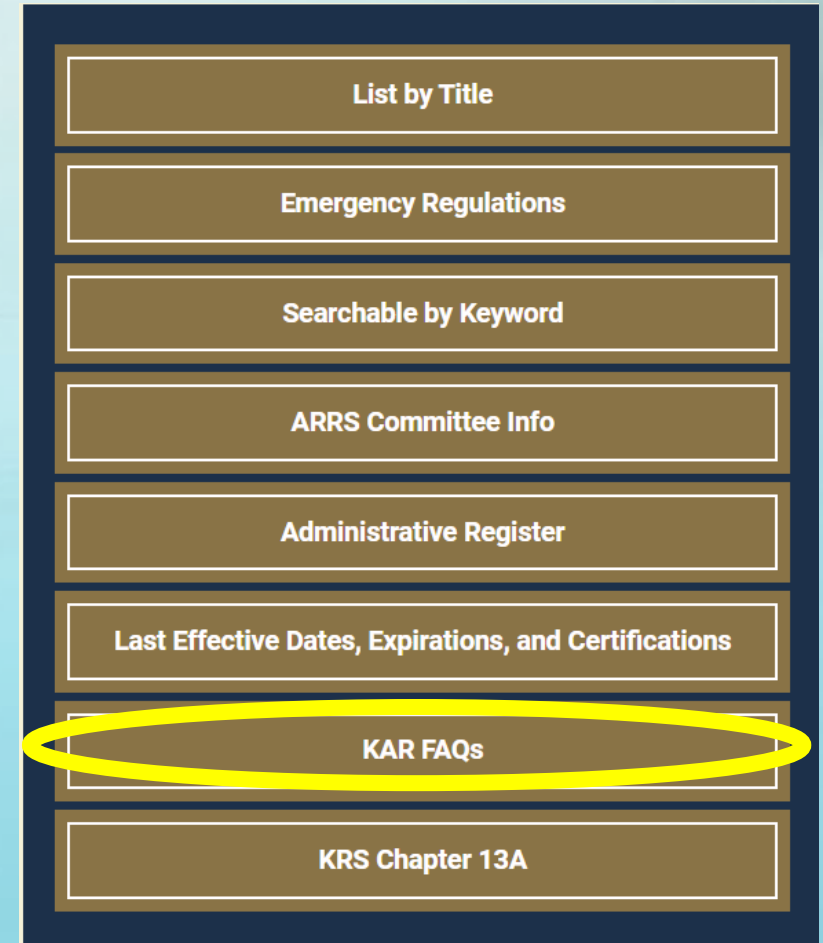
- Kentucky Law
- Kentucky Administrative Regulations ▶
- Kentucky Revised Statutes ▶
- Acts of the Kentucky General Assembly
- Kentucky Constitution



- List by Title
- Emergency Regulations
- Searchable by Keyword
- ARRS Committee Info
- Administrative Register**
- Last Effective Dates, Expirations, and Certifications
- KAR FAQs
- KRS Chapter 13A

# Filing Examples – FAQ Page

- New/updated forms
- Parts of a reg
- Statements of Emergency or Consideration
- Letters to the Compiler
- Helpful info/diagrams



# Reg Filing Reminders – Reg Expiration

- **Sunset Law:** Regs expire *every 7 years* unless certified prior to expiration
- **Certification letter due to Regs Compiler:**
  - ❖ Reg shall be amended
  - ❖ Reg shall remain in effect without amendment
  - ❖ **NEW:** Reg is in need of amendment and one has been filed (*in process*)

# Reg Filing Reminders – Reg Expiration



- Certification letter **template** & **expiration date chart** available on **LRC website** to assist

❖ *Agency is responsible for monitoring expiration dates*

# Contact Information

- **Questions about getting started or technical questions:**
  - ❖ (502) 564-8100
  - ❖ [RegsCompiler@kylegislature.gov](mailto:RegsCompiler@kylegislature.gov)
- **Content issues:**
  - ❖ Contact **CSA** or **Regs Analysts** on slide 6