

13A.250 Consideration of costs to local and state government and to regulated entities -- Fiscal note.

- (1) An administrative body that promulgates an administrative regulation shall consider the cost that the administrative regulation may cause state or local government and regulated entities to incur.
- (2)
 - (a) A two (2) part cost analysis shall be completed for each administrative regulation.
 - (b) The first part of the cost analysis shall include the projected cost or cost savings to the Commonwealth of Kentucky and each of its affected agencies, and the projected cost or cost savings to affected local governments, including cities, counties, fire departments, and school districts.
 - (c) The second part of the cost analysis shall include the projected cost or cost savings to the regulated entities affected by the administrative regulation.
 - (d) Agencies or entities affected by the administrative regulation may submit comments in accordance with KRS 13A.270(1) to the promulgating administrative body or to a legislative committee reviewing the administrative regulation.
- (3) Each administrative body that promulgates an administrative regulation shall prepare and submit with the administrative regulation a fiscal note. The fiscal note shall state:
 - (a) The number of the administrative regulation;
 - (b) The name, email address, and telephone number of the contact person of the administrative body identified pursuant to KRS 13A.220(6)(d), and, if applicable, the name, email address, and telephone number of an alternate person to be contacted with specific questions about the fiscal note;
 - (c) Each unit, part, or division of state or local government the administrative regulation will affect;
 - (d) Whether the administrative regulation was expressly authorized by an act of the General Assembly, and if so, identification of the act;
 - (e) In detail, the aspect or service of state or local government to which the administrative regulation relates, including identification of the applicable state or federal statute or regulation that mandates the aspect or service or authorizes the action taken by the administrative regulation;
 - (f) The estimated effect of the administrative regulation on the expenditures and revenues of a state or local government agency or regulated entity for the first full year the administrative regulation will be in effect and any subsequent year the administrative regulation will be in effect. The administrative body shall provide a narrative to explain the fiscal impact of the administrative regulation and the methodology and resources it used to determine the fiscal impact; and
 - (g)
 1. The conclusion of the promulgating administrative body as to whether the administrative regulation will have a major economic impact on state and local government and regulated entities for the first full year the

administrative regulation will be in effect and for subsequent years if different; and

2. An explanation of the methodology and resources used by the administrative body to reach this conclusion.
- (4) If an administrative body files an amendment to an administrative regulation pursuant to KRS 13A.320(3) for a legislative committee meeting, the administrative body shall:
- (a) Consider the cost of the amendment as established in subsection (2) of this section; and
 - (b) Prepare and submit a fiscal note as established in subsection (3) of this section.
- (5) Any administrative body may request the advice and assistance of the Commission in the preparation of the fiscal note.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 88, sec. 8, effective June 27, 2025; and ch. 101, sec. 6, effective March 31, 2025. -- Amended 2023 Ky. Acts ch. 122, sec. 11, effective March 15, 2024. -- Amended 2022 Ky. Acts ch. 207, sec. 2, effective April 14, 2022. -- Amended 2021 Ky. Acts ch. 7, sec. 8, effective February 2, 2021. -- Amended 2016 Ky. Acts ch. 82, sec. 22, effective July 15, 2016. -- Amended 2012 Ky. Acts ch. 138, sec. 9, effective July 12, 2012. -- Amended 2006 Ky. Acts ch. 166, sec. 2, effective July 12, 2006; and ch. 197, sec 1, effective July 12 2006. -- Amended 2003 Ky. Acts ch. 89, sec. 12, effective June 24, 2003. -- Amended 1994 Ky. Acts ch. 410, sec. 18, effective July 15, 1994. -- Created 1984 Ky. Acts ch. 417, sec. 25, effective April 13, 1984.

Legislative Research Commission Note (6/27/2025). This statute was amended by 2025 Ky. Acts. chs. 88 and 101. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 101, which was last enacted by the General Assembly, prevails under KRS 446.250.

Legislative Research Commission Note (4/14/2022). This statute was amended by 2022 Ky. Acts ch. 207, sec. 2. Under Section 5 of that Act, the Act shall be known and may be cited as the Kentucky REINS Act, or the Kentucky Regulations from the Executive in Need of Scrutiny Act.