

**13A.320 Amendment of administrative regulation during meeting of legislative committee or public meeting -- Format.**

- (1)
  - (a) An administrative body may amend a filed ordinary or emergency administrative regulation at a legislative committee meeting with the consent of the legislative committee. A legislative committee may amend a filed ordinary or emergency administrative regulation at a legislative committee meeting with the consent of the administrative body.
  - (b) An administrative regulation shall not be amended at a public meeting of a legislative committee unless the amendment concerns an issue that was related to the administrative regulation filed with the Legislative Research Commission and was:
    1. Considered at the public hearing;
    2. Raised pursuant to a comment received by the administrative body at the public hearing or during the public comment period pursuant to KRS 13A.280(1); or
    3. Raised during the legislative committee meeting.
  - (c) Nothing in this chapter shall be construed to require the administrative regulation's resubmission or refiling or other action. The administrative regulation may be adopted as amended.
  - (d) Following approval of an amendment to an administrative regulation at a legislative committee meeting, the administrative regulation as amended shall be published in the Administrative Register, unless all amendments to the administrative regulation that were made at the meeting of the legislative committee:
    1. Relate only to the formatting and drafting requirements of KRS 13A.220(5) and 13A.222(4)(b), (c), (i), (j), and (l); and
    2. Do not alter the intent, meaning, conditions, standards, or other requirements of the administrative regulation.
  - (e) If the amendments to an administrative regulation made at a meeting of a legislative committee meet the exception requirements of paragraph (d) of this subsection, the regulations compiler shall publish a notice in the Administrative Register that the administrative regulation was amended at a legislative committee meeting only to comply with the formatting and drafting requirements of this chapter.
- (2) If an administrative body intends to amend an administrative regulation at a meeting of a legislative committee, the following requirements shall be met:
  - (a) An amendment offered by the administrative body prior to a legislative committee meeting shall be approved by the head of the administrative body;
  - (b) The amendment shall be contained in a letter to the legislative committee. The letter shall:
    1. Identify the administrative body;
    2. State the number and title of the administrative regulation;
    3. Be dated; and

4. Be filed with the regulations compiler; and
- (c) The amendment shall be made in one (1) of the following formats:
1. a. On separate lines, the amendment shall be identified by the number of the:
    - i. Page;
    - ii. Section, subsection, paragraph, subparagraph, clause, or subclause, as appropriate; and
    - iii. Line.
  - b. If a word or phrase, whether or not underlined, is to be deleted, the amendment shall identify the word or phrase to be deleted and state that it is to be deleted. If a word or phrase is to be replaced by another word or phrase, the amendment shall specify the word or phrase that is to be deleted and shall specify the word or phrase that is to be inserted in lieu thereof.
  - c. If new language is to be inserted, the amendment shall state that it is to be inserted, and the new language shall be underlined.
  - d. If the amendment consists of no more than four (4) words, the words shall be placed between quotation marks. If the amendment consists of more than four (4) words, the amendment shall be indented and not placed between quotation marks.
  - e. If a section, subsection, paragraph, subparagraph, clause, or subclause is to be deleted in its entirety, the amendment shall identify it and state that it is deleted in its entirety, whether or not it contains underlined or bracketed language; or
2. a. By substituting the complete text of the administrative regulation, with the proposed changes made to the administrative regulation typed in bold, italicized, and in the format prescribed by KRS 13A.222(2).
    - b. i. If the amendment is initiated by the administrative body, the administrative body shall submit at the same time as, or prior to, filing the paper version, an electronic version of the amendment in a format approved by the regulations compiler.
    - ii. If there are differences between the paper copy and the electronic version of the amendment, the electronic version shall be the controlling version.
- (3) If the amendment is initiated by the administrative body, the amendment shall be:
- (a) Filed at least three (3) working days prior to the meeting of the legislative committee;
  - (b) Filed with an updated fiscal note as established by KRS 13A.250(4);
  - (c) Filed with a summary of the amendment and an explanation of its intent; and
  - (d) Emailed as soon as practicable to every person who has registered pursuant to KRS 13A.270(3)(a)2. and provided an email address as part of the registration

request.

- (4) An amendment to an administrative regulation may be made orally at a legislative committee meeting if the requirements of subsection (1)(a) of this section are met.
- (5) Except for an amendment made orally pursuant to subsection (4) of this section:
  - (a) For a meeting of the Administrative Regulation Review Subcommittee, an administrative body shall submit fifteen (15) copies of an amendment to an administrative regulation to the regulations compiler prior to the Administrative Regulation Review Subcommittee meeting at which the amendment will be considered and, if applicable, in accordance with the deadline established in subsection (3)(a) of this section; or
  - (b) For a meeting of a legislative committee other than the Administrative Regulation Review Subcommittee, an administrative body shall contact the regulations compiler prior to the legislative committee meeting at which the amendment will be considered to find out the number of copies needed for that specific legislative committee. The original amendment and the specified number of copies shall be submitted to the regulations compiler prior to the legislative committee meeting at which the amendment will be considered and, if applicable, in accordance with the deadline established in subsection (3)(a) of this section.

**Effective:** June 27, 2025

**History:** Amended 2025 Ky. Acts ch. 88, sec. 16, effective June 27, 2025. -- Amended 2021 Ky. Acts ch. 7, sec. 16, effective February 2, 2021. -- Amended 2016 Ky. Acts ch. 82, sec. 31, effective July 15, 2016. -- Amended 2012 Ky. Acts ch. 138, sec. 15, effective July 12, 2012. -- Amended 2005 Ky. Acts ch. 100, sec. 21, effective June 20, 2005. -- Amended 2003 Ky. Acts ch. 89, sec. 17, effective June 24, 2003. -- Amended 1998 Ky. Acts ch. 38, sec. 10, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 180, sec. 16, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 410, sec. 25, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 516, sec. 30, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 71, sec. 5, effective July 15, 1988; and ch. 415, sec. 12, effective July 15, 1988. -- Created 1984 Ky. Acts ch. 417, sec. 32, effective April 13, 1984.