

13A.030 Duties of subcommittee.

- (1) The Administrative Regulation Review Subcommittee shall:
 - (a) Conduct a continuous study as to whether additional legislation or changes in legislation are needed based on various factors, including but not limited to review of new, emergency, and existing administrative regulations, the lack of administrative regulations, and the needs of administrative bodies;
 - (b) Except as provided by KRS 158.6471 and 158.6472, review and comment upon effective administrative regulations pursuant to subsections (2), (3), and (4) of this section or administrative regulations filed with the Commission;
 - (c) Make recommendations for changes in statutes, new statutes, repeal of statutes affecting administrative regulations or the ability of administrative bodies to promulgate them; and
 - (d) Conduct such other studies relating to administrative regulations as may be assigned by the Commission.
- (2) The subcommittee may make a determination:
 - (a) That an effective administrative regulation or an administrative regulation filed with the Commission is deficient because it:
 1. Is wrongfully promulgated;
 2. Appears to be in conflict with an existing statute;
 3. Appears to have no statutory authority for its promulgation;
 4. Appears to impose stricter or more burdensome state requirements than required by the federal mandate, without reasonable justification;
 5. Fails to use tiering when tiering is applicable;
 6. Is in excess of the administrative body's authority;
 7. Appears to impose an unreasonable burden on government or small business, or both;
 8. Is filed as an emergency administrative regulation without adequate justification of the emergency nature of the situation as described in KRS 13A.190(1);
 9. Has not been noticed in conformance with the requirements of KRS 13A.270(3);
 10. Does not provide an adequate cost analysis pursuant to KRS 13A.250;
 11. Violates KRS 13A.105;
 12. Was the subject of the subcommittee's instruction to an administrative body to appear under subsection (4) of this section and the administrative body failed to:
 - a. Appear;
 - b. Make a good-faith effort to answer subcommittee questions; or
 - c. Provide any information or data required by the subcommittee; or
 13. Appears to be deficient in any other manner;
 - (b) That an administrative regulation is needed to implement an existing statute;

or

- (c) That an administrative regulation should be amended or repealed.
- (3) The subcommittee may conduct an informational review of an effective administrative regulation or an administrative regulation filed with the Commission if requested by a member of the subcommittee.
- (4) (a) The subcommittee may require any administrative body to appear before it to answer questions or submit data and information as required by the subcommittee in the performance of its duties under this chapter, and no administrative body shall fail to:
 - 1. Appear before the subcommittee;
 - 2. Make a good-faith effort to answer subcommittee questions;
 - 3. Provide any information or data required by the subcommittee; or
 - 4. Perform any combination of subparagraphs 1., 2., and 3. of this paragraph required by the subcommittee.
- (b) Either co-chair of the subcommittee may require action by an administrative body under paragraph (a) of this subsection on behalf of the subcommittee.
- (5) At least five (5) calendar days before an informational review of an ordinary administrative regulation, the subcommittee shall notify the affected administrative body.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 2, sec. 2, effective February 25, 2025; ch. 88, sec. 18, effective June 27, 2025; and ch. 101, sec. 2, effective March 31, 2025. -- Amended 2022 Ky. Acts ch. 207, sec. 4, effective April 14, 2022. -- Amended 2021 Ky. Acts ch. 7, sec. 2, effective February 2, 2021. -- Amended 2019 Ky. Acts ch. 192, sec. 2, effective June 27, 2019. -- Amended 2004 Ky. Acts ch. 165, sec. 3, effective July 13, 2004. -- Amended 2000 Ky. Acts ch. 406, sec. 4, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 598, sec. 7, effective April 14, 1998. -- Amended 1994 Ky. Acts ch. 410, sec. 5, effective July 15, 1994. -- Amended 1986 Ky. Acts ch. 89, sec. 6, effective July 15, 1986. -- Created 1984 Ky. Acts ch. 417, sec. 3, effective April 13, 1984.

Legislative Research Commission Note (6/27/2025). This statute was amended by 2025 Ky. Acts chs. 2, 88, and 101, which do not appear to be in conflict and have been codified together.

Legislative Research Commission Note (4/14/2022). This statute was amended by 2022 Ky. Acts ch. 207, sec. 4. 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.