

103 KAR 1:092. General administration policies and circulars.

RELATES TO: KRS 131.130(1)

STATUTORY AUTHORITY: KRS 131.130(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 131.130(1) authorizes the department to promulgate administrative regulations to administer and enforce Kentucky's tax laws. The Department of Revenue has many policies and circulars, a number of which predate the enactment of KRS Chapter 13A, that conflict with current tax laws. This administrative regulation rescinds general administration policies and circulars.

Section 1. The following general administration policies and circulars of the Department of Revenue are rescinded and shall be null, void, and unenforceable:

(1) Revenue Circular 10C001 - Tax Provisions of the Enterprise Zone Law. This circular is being rescinded because it restates KRS 154.45-010(7), 154.45-010(9), and 306 KAR 1:010. Furthermore, this policy is obsolete because Enterprise Zones are phasing out across the Commonwealth and are replaced with the Kentucky Enterprise Initiative under the provisions of KRS 154.20-200 to 154.20-216.

(2) Revenue Circular 10C030 - Kentucky Tax Registration Application. This circular is being rescinded because it is obsolete in part because it references the General Business License Fee imposed by KRS 154.12-219 that was repealed effective July 1, 2004. The circular also restates statutory authority concerning who is required to apply for tax registrations and certificates.

(3) Revenue Policy 10P010 - Due Dates for Payment of Tax. This policy is being rescinded because it restates KRS 446.030(1).

(4) Revenue Policy 10P011 - Records Retention Requirements. This policy is being rescinded because it is obsolete.

(5) Revenue Circular 40C003 - Taxation of federal and certain nonfederal obligations and their income for Kentucky income and intangible property tax purposes. This circular is being rescinded because the guidance provided was incorporated in 103 KAR 1:130 - Taxation of federal and certain nonfederal obligations and their income for Kentucky income and property tax purposes. (33 Ky.R. 1189; 1789; eff. 2-2-2007; Crt eff. 6-7-2019.)