

Certification Statements

See [2025 RS HB 6, Section 8](#)

QUICK LINKS

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OVERVIEW

2025 RS HB 6 creates a new section of KRS Chapter 13A. This section establishes new requirements that include:

- An agency certification stating that the regulation complies with HB 6; and,
- IF the agency is listed or falls under one of the entities listed in Section 8(3)(a) through (y), a certification from the Governor stating the same.

To verify that the agency and, if circumstances warrant, the Governor, acknowledges the certification statement, please have applicable individuals sign the regulation's signature page.

LOCATION

In order to help ensure consistent formatting, please add the "CERTIFICATION STATEMENT:" after the STATUTORY AUTHORITY line.

Example:

1	AMPHIBIAN PROTECTION CABINET
2	Department of Frogs
3	Division of Bullfrogs
4	(Amended After Comments)
5	312 KAR 89:720. Protection of endangered or threatened bullfrogs.
6	RELATES TO: KRS 304.6-130, 304.6-180
7	STATUTORY AUTHORITY: KRS 304.2-110, 304.6-140
8	CERTIFICATION STATEMENT: This is to certify that this administrative regulation
9	complies with the requirements of 2025 RS HB 6, Section 8.
10	NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110 authorizes the

2025 RS HB 6, Section 8(2) and (3)

- 11 (2) Notwithstanding subsection (1) of this section, an administrative body shall have
12 authority to promulgate a new administrative regulation, ordinary administrative
13 regulation, emergency administrative regulation, administrative regulation in
14 contemplation of a statute, or administrative regulation amending an existing
15 administrative regulation if the administrative body is given statutory authority to
16 promulgate administrative regulations in a particular subject matter and certifies
17 in the administrative regulation that the administrative regulation:
- 18 (a) Will not have a major economic impact;
 - 19 (b) Is an emergency administrative regulation that must be put into effect
20 immediately to meet an imminent threat to public health, safety, or welfare;
 - 21 (c) Is necessary to prevent the loss of federal or state funds;
 - 22 (d) Is necessary to meet a deadline that is established by federal law, federal
23 regulation, or state law;
 - 24 (e) Is necessary to comply with a final order from a court of competent
25 jurisdiction; or
 - 26 (f) Relates to the licensure and regulation of health facilities and services
27 pursuant to KRS Chapter 216B.

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1 (3) An administrative regulation filed or promulgated by any of the following
2 administrative bodies, or by an office, division, or other unit within any of the
3 following administrative bodies, shall include the Governor's certification that it
4 meets one (1) or more of the six (6) criteria set forth in subsection (2) of this
5 section in addition to the administrative body's certification that it meets one (1)
6 or more of the six (6) criteria set forth in subsection (2) of this section:

7 (a) The Governor, Lieutenant Governor, and Office of the Governor;

8 (b) Justice and Public Safety Cabinet;

9 (c) Energy and Environment Cabinet;

10 (d) Public Protection Cabinet;

11 (e) Transportation Cabinet;

12 (f) Cabinet for Economic Development;

13 (g) Cabinet for Health and Family Services;

14 (h) Finance and Administration Cabinet;

15 (i) Tourism, Arts and Heritage Cabinet;

16 (j) Personnel Cabinet;

17 (k) Education and Labor Cabinet;

18 (l) Department of Education;

19 (m) Council on Postsecondary Education;

20 (n) Department of Military Affairs;

21 (o) Department for Local Government;

22 (p) Kentucky Commission on Human Rights;

23 (q) Kentucky Commission on Women;

24 (r) Department of Veterans' Affairs;

25 (s) Kentucky Commission on Military Affairs;

26 (t) Office of Minority Empowerment;

27 (u) Governor's Council on Wellness and Physical Activity;

1 (v) Kentucky Communications Network Authority;

2 (w) Executive Branch Ethics Commission;

3 (x) Teachers' Retirement System; and

4 (y) Kentucky Public Pensions Authority.

CONTENT

Providing a more comprehensive certification could help reduce or eliminate potential questions.

New requirements include:

- An agency certification stating that the regulation complies with HB 6, Section 8; and,
- IF the agency is listed, or falls under one of the entities listed, in Section 8(3)(a) through (y), a certification from the Governor stating the same.

EXAMPLES – CERTIFICATION STATEMENTS

The examples below are examples of possible information that could be contained in a certification statement. Each subsequent example is a bit more complex than the previous examples. Please adjust the content of a regulation's certification statement to meet your agency's specific circumstances.

CERTIFICATION STATEMENT: This certifies that this administrative regulation complies with the requirements of 2025 RS HB 6, Section 8.

CERTIFICATION STATEMENT: This is to certify that this administrative regulation is in compliance with the requirements of 2025 RS HB 6, Section 8(2). This administrative regulation is being promulgated to meet a deadline established by 2025 legislation.

CERTIFICATION STATEMENT: The Board of Amphibians certifies that this administrative regulation meets the requirements of 2025 RS HB 6, Section 8(2)(d) because this new administrative regulation is being promulgated to meet a deadline established by KRS 150.9999. The Board is required to establish the Amphibian Research Program and that the program be operational by January 1, 2026.

CERTIFICATION STATEMENT: This is to certify that this administrative regulation is in compliance with the requirements of 2025 RS HB 6, Section 8(2) because this administrative regulation is being promulgated to meet a deadline established by 2025 RS HB 999. The Amphibian Protection Cabinet is not one of the agencies that is directed by House Bill 6, Section 8(3) to include a certification by the Governor.

CERTIFICATION STATEMENT: This is to certify that this administrative regulation is in compliance with the requirements of 2025 RS HB 6, Section 8(2) because this administrative regulation is being promulgated to meet a deadline established by 2025 RS HB 999. The Governor's signature is included after the body of the regulation to indicate his acknowledgement of this certification.

