

DEPARTMENT OF MILITARY AFFAIRS
(New Administrative Regulation)

106 KAR 2:021. Military Family Assistance Trust Fund.

RELATES TO: KRS 36.470, 36.474, 36.476

STATUTORY AUTHORITY: KRS 36.474(3), (5)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 36.470 establishes the military family assistance trust fund. KRS 36.474(3), (5) require the board to promulgate an administrative regulation establishing the maximum amount of grant assistance a person may receive in a twelve (12) month period and to establish a need-based application for trust fund grants. This administrative regulation establishes the application process and the maximum amount of grant assistance as required by KRS 36.474.

Section 1. Military Family Assistance Trust Fund Board. The board shall receive a report on all funds expended on applications and shall be informed on the reason for any application being disapproved.

Section 2. Application for Trust Funds. Any qualified service member or the service member's Kentucky resident spouse may submit a "Kentucky Military Family Assistance Trust Fund Application, DMA Form 43-1" for application of grant funds for a need-based emergency.

Section 3. Payment of Grants.

(1) Except as provided in subsection (2) of this section, the following limits shall apply:

(a) A maximum of twenty-five (25) percent of the annual Kentucky state median income (SMI) as prepared by the U.S. Census Bureau using the most current Census may be approved for a single application as identified on DMA Form 43-1; and

(b) A maximum of twenty-five (25) percent of the annual Kentucky state median income (SMI) as prepared by the U.S. Census Bureau using the most current Census may be approved per fiscal year per service member. An award made to the family of a service member shall be included in the amount calculated as awarded to the service member.

(2) Amounts greater than twenty-five (25) percent of the annual Kentucky state median income (SMI) as prepared by the U.S. Census Bureau using the most current Census for a fiscal year maximum cap may be approved by a majority vote of the board members if there is:

(a) A catastrophic event, including a tornado, fire, earthquake, or other disastrous event; or

(b) At least a twenty-five (25) percent loss of annual income by the service member or spouse that is caused by the deployment compared to what the service member's or spouse's annual income was prior to deployment.

(3) The applicant shall submit appropriate documentation to verify:

(a) The applicant's financial need; and

(b) Other assistance that is provided or not provided by other sources.

Section 4. Incorporation by Reference.

(1) "Kentucky Military Family Assistance Trust Fund Application, DMA Form 43-1", May 2022, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at Administrative Services Division, Office of Management and Administration, Department of Military Affairs, 100 Minuteman Parkway, Boone National Guard Center, Frankfort, Kentucky 40601-6168, or by calling the Office at phone (502) 607-1738, Monday through Friday, 8 a.m. to 4:30 p.m.

JUDITH A. BROWN, Director and Fund Administrator
DR. DALLAS F. KRATZER II, Lt. Col. Retired (KYANG), Board Chair
HALDANE B. LAMBERTON, Major General, KYNG, Adjutant General

APPROVED BY AGENCY: June 7, 2022

FILED WITH LRC: June 15, 2022 at 10:20 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, August 24, 2022, at 12:45 p.m. Eastern Time at 100 Minuteman Parkway, Bldg. 100, Room 202 (EOC 2nd Floor Conference Room) Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Corey Ann Howard Jackson, Legislative Liaison and Policy Specialist, Department of Military Affairs, 100 Minuteman Parkway, Frankfort, Kentucky 40601, phone (502) 330-3323, fax (502) 607-1240, email corey.a.jackson23.nfg@army.mil.