

SECRETARY OF STATE
(New Administrative Regulation)

30 KAR 9:010. Forms.

RELATES TO: KRS 14.025, 118.126

STATUTORY AUTHORITY: KRS 118.126(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 14.025(4) requires the Department of State, Office of Elections to be responsible for candidate filings and assisting the Secretary of State in his or her duties as the chief election official of Kentucky. KRS 118.126(1) requires Secretary of State to accept the designation of Lieutenant Governor from each candidate for Governor. This administrative regulation establishes the form for such filing.

Section 1. The following reporting forms shall be filed in accordance with the referenced statutes: Pursuant to KRS 118.126, a candidate for Governor will file the "Designation of Candidate for Lieutenant Governor" with the Secretary of State no later than 4 p.m. on the second Tuesday in August preceding the regular election for the office of Governor.

Section 2. Incorporation by Reference.

(1) The following material is incorporated by reference: "Designation of Candidate for Lieutenant Governor," SOS 01, October 2022.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Secretary of State's Office, 700 Capital Avenue, State Capitol, Suite 152, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m., or may be obtained at <http://www.sos.ky.gov>.

MICHAEL G. ADAMS, Secretary of State

APPROVED BY AGENCY: October 7, 2022

FILED WITH LRC: October 7, 2022 at 11:30 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on December 27, 2022, at 10:00 a.m. EST, at Office of the Secretary of State. 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 was received by that date, the hearing may be cancelled. This 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 until December 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: Jennifer Scutchfield, 700 Capital Avenue, State Capitol, Suite 152, Frankfort, Kentucky 40601, phone (502) 782-7417, fax (502) 564-5687, email jscutchfield@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Jennifer Scutchfield

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the form for filing of Lieutenant Governor.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to establish the form for filing of Lieutenant Governor.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

In order for the Secretary of State to fulfill its duties under KRS 14.025, this administrative regulation is necessary to establish the form for filing of Lieutenant Governor.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation is necessary to establish the form for filing of Lieutenant Governor.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

N/A

(b) The necessity of the amendment to this administrative regulation:

N/A

(c) How the amendment conforms to the content of the authorizing statutes:

N/A (d) How the amendment will assist in the effective administration of the statutes:

N/A

(d) How the amendment will assist in the effective administration of the statutes:

No answer provided.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This regulation affects persons running for Governor and Lieutenant Governor.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Individuals identified in question (3) will have to familiarize themselves with this regulation and contact our office with questions.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

None.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

They will be protected from persons who pose them danger by not allowing those people to access their location. (5) Provide an estimate of how much it will cost to implement this administrative regulation:

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

N/A.

(b) On a continuing basis:

N/A.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

N/A

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

An increase in fees or funding will not be necessary.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This administrative regulation neither establishes nor increases any fees.

(9) TIERING: Is tiering applied?

Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all those individuals or entities regulated by it.

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

This regulation will impact the Office of the Secretary of State.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

This administrative regulation is authorized by KRS 14.025.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

This administrative regulation will not generate any additional revenue for state or local governments during the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

This administrative regulation will not generate any additional revenue for state or local governments during subsequent years of implementation.

(c) How much will it cost to administer this program for the first year?

The administration cost is minimal.

(d) How much will it cost to administer this program for subsequent years?

The administration cost will be minimal.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

This administrative regulation will not generate any cost savings for state or local governments during the first year.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

This administrative regulation will not generate any cost savings for state or local governments during the first year.

(c) How much will it cost the regulated entities for the first year?

There is minimal cost.

(d) How much will it cost the regulated entities for subsequent years?

There is minimal cost.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):

Expenditures (+/-):

Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)] It will not.