

DEPARTMENT OF MILITARY AFFAIRS
Division of Emergency Management
(Amended at ARRS Committee)

106 KAR 1:141. Emergency management funding.

RELATES TO: KRS 39A.050(2)(i), (j), (m), 39C.010, 42 U.S.C. 5170(c), 5172, 5173, 5196, 50 U.S.C. 1521

STATUTORY AUTHORITY: KRS 39A.050(2)(i), (m), 39A.070(3), 39C.100, 42 U.S.C. 5170(c), 5172, 5173, 5196, 50 U.S.C. 1521

NECESSITY, FUNCTION, AND CONFORMITY: KRS 39A.050(2)(m) requires the Division of Emergency Management to promulgate administrative regulations to implement KRS Chapter 39A through 39F. KRS 39A.050(2)(i) requires the division to provide funds to a city, county, or charter county government to support a local emergency management agency and comprehensive emergency management program. This administrative regulation establishes eligibility requirements of a city, county, urban-county, or charter county government for emergency management funding.

Section 1. Definitions.

- (1) "Applicant" means a local emergency management agency of a city, county, urban-county, or charter county government established pursuant to KRS 39B.010 and 106 KAR 1:231.
- (2) "Emergency management funding" means the funds defined by subsections (3) through (6) of this section.
- (3) "Chemical Stockpile Emergency Preparedness Program Fund" means the funding established in 50 U.S.C. 1521.
- (4) "Federal Disaster and Emergency Assistance Fund" means the funding granted to the division by the Federal Emergency Management Agency, under 42 U.S.C. 5170(c), 5172, and 5173.
- (5) "Federal Emergency Management Assistance Fund" means the funding granted to the division by the Federal Emergency Management Agency, under 42 U.S.C. 5196.
- (6) "Supplementary State Fund" means the fund established in KRS 39C.010 and 39C.020.

Section 2. Eligibility.

- (1) To be eligible for emergency management funding, a city, county, urban-county, or charter-county government shall:
 - (a) Submit documentation of the establishment of a local emergency management agency pursuant to 106 KAR 1:231;
 - (b) Submit documentation of the appointment of a local director pursuant to 106 KAR 1:241;
 - (c) Submit a signed memorandum of agreement issued by the Division of Emergency Management; and
 - (d) Apply for emergency management funding through a local director who shall:
 1. Ensure use of an appropriate application form provided by the Division of Emergency Management;
 2. Ensure the official name of a local emergency management agency is used to specify the applicant in an application;
 3. Exercise signatory authority established in KRS 39B.030(9) to execute an application and a memorandum of agreement issued by the Division of Emergency Management;
 4. Maintain a file of an application and supporting material; and

5. Submit applications, memoranda of agreement, and supporting materials prepared for the city, county, urban-county, or charter-government.

(2) A local director shall submit the materials required in subsection (1) of this section to an area manager, or as directed by the Division of Emergency Management, for transmittal to the director.

Section 3. Compliance Requirements.

(1) In maintaining eligibility of a city, county, urban-county, or charter-county government for emergency management funding, a local emergency management agency shall comply with 106 KAR 1:171, 201, 211, and 221.

(2) Failure to comply with applicable federal and state requirements may prevent city, county, urban-county, or charter-governments from receiving reimbursement funding for emergency management programs.

(49 Ky.R. 161, 1033; eff. 11-16-2022.)

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