

Technical Amendment
October 31, 2022
EDUCATION AND LABOR CABINET
(Technical Amendment)

803 KAR 25:210. Affidavit of exemption from KRS Chapter 342.

RELATES TO: KRS 342.610(5), 342.650(2)

STATUTORY AUTHORITY: KRS 342.260, 342.610(5)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 342.260 requires the ~~commissioner~~~~[executive director]~~ to promulgate administrative regulations necessary to implement the provisions of KRS Chapter 342. KRS 342.610(5) requires the ~~commissioner~~~~[executive director]~~ to establish a form for a local building official to use to certify that a person or contractor who has applied for a building permit is exempt from KRS Chapter 342. This administrative regulation establishes the exemption form.

Section 1. Exemption.

(1) A person who is exempt from securing workers' compensation insurance under the exception contained in KRS 342.650(2), and a contractor exempt from KRS Chapter 342 shall certify the exemption to the local building official by submitting an "Affidavit of Exemption from KRS Chapter 342 (Individual)" or an "Affidavit of Exemption from KRS Chapter 342 (Corporation or Partnership)", whichever is applicable, in lieu of providing proof of workers' compensation coverage.

(2) The local building official who issues building permits shall immediately file the original affidavit with the Kentucky ~~Department~~~~[Office]~~ of Workers' Claims. A copy of the affidavit shall be maintained on file with the local office which issues the building permit.

Section 2. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Affidavit of Exemption from KRS Chapter 342 (Individual)" (January 1, 1997 Edition), Office of Workers' Claims; and

(b) "Affidavit of Exemption from KRS Chapter 342 (Corporation or Partnership)" (January 1, 1997 Edition), Office of Workers' Claims.

(2) The material may be inspected, copied, or obtained at the Office of Workers' Claims, Monday through Friday, 9 a.m. to 4 p.m. at the following locations:

(a) Frankfort - ~~Mayo-Underwood Building, 3rd Floor, 500 Mero Street~~~~[Prevention Park, 657 Chamberlin Avenue]~~, Frankfort, Kentucky 40601.

(b) Paducah - 220B North 8th St., Paducah, Kentucky 42001.

(c) Pikeville - 107 Coal Hollow Road, Pikeville, Kentucky 41501.

(803 KAR 025:210. 23 Ky.R. 3958; 24 Ky.R. 362; eff. 7-17-1997; TAm eff. 8-9-2007; Crt eff. 3-29-2019; TAm eff. 10-31-2022; Crt eff. 3-5-2026; Recodified to 120 KAR 001:210; eff. 6-29-2026.)

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