

OFFICE OF ATTORNEY GENERAL
Kentucky Office of Regulatory Relief
(New Administrative Regulation)

40 KAR 12:010. Regulatory sandbox application process and reporting procedures.

RELATES TO: KRS 15.266, 15.268, 15.272, 15.274

STATUTORY AUTHORITY: KRS 15.180, 15.266, 15.268

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15.180 authorizes the Attorney General to promulgate administrative regulations that will facilitate performing the duties and exercising the authority vested in the Attorney General and the Department of Law. KRS 15.266 and 15.268 require the Kentucky Office of Regulatory Relief ("KORR") to promulgate an application to be used by persons seeking admission to the General Regulatory Sandbox Program and to establish an application fee. KRS 15.266(4)(f) authorizes the Office to promulgate administrative regulations concerning the application process, reporting requirements of sandbox participants, and administering the General Regulatory Sandbox Program. This administrative regulation establishes the application procedures for persons seeking admission in the General Regulatory Sandbox Program, establishes the application fee, and establishes the reporting processes for Sandbox participants.

Section 1. Application.

(1) Persons seeking admission to the General Regulatory Sandbox Program shall submit an application using the "Apply to Kentucky's General Regulatory Sandbox Program application portal" available at <https://www.ag.ky.gov/Resources/Pages/Office-of-Regulatory-Relief.aspx>.

(2) Applicants shall submit additional information or documents for their application within thirty (30) days of any request by KORR. KORR may deny any application if an Applicant fails to timely provide requested information or documents.

Section 2. Application Fee. The nonrefundable application fee for persons seeking admission to the General Regulatory Sandbox Program shall be \$100. KORR shall charge the application fee to process each new application.

Section 3. Sandbox Participant Reporting.

(1) Sandbox participants with an active demonstration offering on August 15 of each year shall submit an interim report to KORR on or before September 1st of that same year using the "Submit interim report portal" available at <https://www.ag.ky.gov/Resources/Pages/Office-of-Regulatory-Relief.aspx>.

(2) Sandbox participants shall submit a final report to KORR on or before fifteen (15) days after a demonstration offering ends using the "submit final report portal" available at <https://www.ag.ky.gov/Resources/Pages/Office-of-Regulatory-Relief.aspx>.

(3) Sandbox participants shall submit additional information or documents to supplement their reports with fifteen (15) days of any request by KORR.

Section 4. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) "Apply to Kentucky's General Regulatory Sandbox Program application portal", Aug. 2024;
- (b) "Submit interim report portal", Aug. 2024; and
- (c) "Submit final report portal", Aug. 2024.

(2) This material shall be inspected, copied, or obtained, subject to copyright law, at the Office of the Attorney General Capital Complex East, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This

material is also available on KORR's Web site,
<https://www.ag.ky.gov/Resources/Pages/Office-of-Regulatory-Relief.aspx>.
(51 Ky.R. 600; eff. 3-4-2025.)

STEPHEN B. HUMPHRESS, Executive Director
RUSSELL COLEMAN, Attorney General

APPROVED BY AGENCY: August 14, 2024

FILED WITH LRC: August 14, 2024 at 4:15 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held on Oct. 22, 2024 at 10:00 a.m. Eastern Time at the Kentucky Office of Attorney General, Kentucky Office of Regulatory Relief, 1024 Capital Center Drive, Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this Office in writing at least five (5) working days 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 11:59 p.m. on October 31, 2024. 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: Stephen B. Humphress, Executive Director, Kentucky Office of Regulatory Relief, Kentucky Office of Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601, phone 502-696-5408, fax (502) 573-8317, email steve.humphress@ky.gov.