

KENTUCKY COMMISSION ON HUMAN RIGHTS
(Amendment)

104 KAR 1:010. Posting, distribution and availability of notices and pamphlets.

RELATES TO: KRS 344.010, 344.030, 344.130, 344.190, 344.367

STATUTORY AUTHORITY: KRS 13A.100, 344.190(14)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 344.190(14) requires the Kentucky Commission on Human Rights to promulgate administrative regulations to effect the purposes of KRS Chapter 344, including requiring the posting of notices prepared or approved by the commission. This administrative regulation establishes requirements for persons defined in KRS 344.010, 344.030, 344.130, and 344.367, to post, distribute, and make available notices and pamphlets.

Section 1. Equal Employment Opportunity Notices.

- (1) An employer, employment agency, licensing agency, and labor organization, shall post and maintain at its establishment equal employment opportunity notices such as the Equal Employment Opportunity Poster.
- (2) Equal employment opportunity notices shall be posted and shall be readily apparent to an employee and applicant for employment. They shall be posted:
 - (a) In easily-accessible and well-lighted places; and
 - (b) At or near each location where the employee's services are performed.
- (3) A Labor organization shall post "equal employment opportunity" notices in easily-accessible and well-lighted places. The notices shall be readily apparent to member and an applicant for membership.

Section 2. Public Accommodations Welcome Notice.

- (1) An owner, lessee, proprietor, or manager of a place of public accommodation, resort, or amusement, shall post and maintain at a place of public accommodation, resort, or amusement welcome notices such as the Public Accommodations Poster.
- (2) Public accommodation welcome notices shall be posted where they may be readily observed by those seeking or granting any of the accommodations, advantages, facilities, or privileges of places of public accommodations, resort, or amusement.

Section 3. Equal Housing Opportunity Notices.

- (1) A person or business entity engaged in a real estate or real estate-related transaction shall post and maintain at each location where services are regularly performed, the equal housing opportunity notices such as the Fair Housing Poster.
- (2) Equal housing opportunity notices shall be posted at each location where services are regularly performed, in an easily-accessible and well-lighted place. The notice shall be readily apparent to a person seeking services.

Section 4. Fair Housing Law Brochure. A person or entity engaged in real estate or real estate-related transactions shall provide to owners and customers at the time of sale, purchase, rental, insuring, or financing of real property, a copy of the Fair Housing Brochure.

Section 5. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Equal Employment Opportunity Poster", August 2025; ~~January 2024;~~
 - (b) "Public Accommodations Poster", August 2025; ~~January 2024;~~
 - (c) "Fair Housing Poster", August 2025; ~~January 2024;~~ and
 - (d) "Fair Housing Brochure", August 2025; ~~January 2024.~~

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of the Kentucky Commission on Human Rights, 312 Whittington Parkway, Suite 020, Louisville, Kentucky 40222, Monday through Friday, 8:00 a.m. to 4:30 p.m.; or from the Kentucky Commission on Human Rights ~~website~~ ~~[Web site]~~ at <https://kchr.ky.gov/Resources/Pages/Brochures-and-Posters.aspx>.

COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

This is to certify that the Commissioners of the Kentucky Commission on Human Rights have approved this administrative regulation as amended prior to its filing with the Legislative Research Commission, as required by KRS 344.190(14).

RAYMOND M. BURSE, Chair

APPROVED BY AGENCY: September 18, 2025

FILED WITH LRC: September 19, 2025 at 12:45 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on December 22, 2025, at 10:00 a.m. Eastern Time at the office of the Kentucky Commission on Human Rights, 312 Whittington Parkway, Suite 020, Louisville, Kentucky 40222. 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. 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 December 31, 2025. 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: Colt C. Sells, Staff Attorney Manager/Assistant General Counsel, Kentucky Commission on Human Rights, 312 Whittington Parkway, Suite 020, Louisville, Kentucky 40222, phone (502) 764-2757, email colt.sells@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Colt C. Sells

Subject Headings:Human Rights Commission, Boards and Commissions, Real Estate

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation requires employers, labor organizations, public accommodations, real estate operators, and real estate brokers to post notices stating that they provide equal opportunities as required by KRS 344.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary because, pursuant to KRS 344.190, it establishes notice standards and procedures enforced by the Kentucky Commission on Human Rights.

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

KRS 344.190(14) authorizes the Kentucky Commission on Human Rights "To adopt, promulgate, amend, and rescind regulations to effectuate the purposes and provisions of [KRS 344], including regulations requiring the posting of notices prepared or approved by the commission." This regulation relates to the posting of notices.

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

This administrative regulation currently assists in the administration of KRS 344 by requiring employers, labor organizations, public accommodations, real estate operators, and real estate brokers to post notices stating that they provide equal opportunities in compliance with KRS 344.

(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:

The amendment updates the names and the content of material incorporated by reference.

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

The amendment to this administrative regulation is necessary to ensure real estate operators and real estate brokers can find and post the correct notices as required under KRS 344.

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

KRS 344.190(14) authorizes the Kentucky Commission on Human Rights "To adopt, promulgate, amend, and rescind regulations to effectuate the purposes and provisions of [KRS 344], including regulations requiring the posting of notices prepared or approved by the commission." This regulation relates to the posting of notices.

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

The amendment to this administrative regulation is necessary to ensure real estate operators and real estate brokers can find and post the correct notices as required under KRS 344.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

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

This administrative regulation applies to all individuals, businesses, or state and local governments subject to KRS 344, which includes all "employers," "employment agencies," "labor organizations," "employees," "public accommodations," "real estate operators," and "real estate brokers" as defined by KRS 344.

(5) Provide an analysis of how the entities identified in question (4) 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 (4) will have to take to comply with this administrative regulation or amendment:

Regulated entities must post notices stating their compliance with the provisions of KRS 344.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

No costs are imposed by this amendment. The notices are provided for free by the Kentucky Commission on Human Rights, as stated in the regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

Compliance with this regulation will ensure fair and equal treatment for all Kentuckians in places of public accommodation, housing, and employment, as already required by KRS 344.

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

(a) Initially:

The expected cost to implement this administrative regulation initially is nominal.

(b) On a continuing basis:

The expected cost to implement this administrative regulation on a continuing basis is nominal.

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

Funds from the budget of the Kentucky Commission on Human Rights will be used for the implementation and enforcement of this regulation.

(8) 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 is not anticipated to be necessary by the change this administrative regulation.

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

No fees are associated with this administrative regulation.

(10) TIERING: Is tiering applied?

Tiering is not used in this administrative regulation, as this regulation will apply to all those subject to KRS 344 throughout all of the counties of the Commonwealth.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

This regulation is authorized by KRS 344.190.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

This regulation is authorized by KRS 344.190.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The promulgating agency is the Kentucky Commission on Human Rights. This administrative regulation applies to all individuals, businesses, or state and local governments subject to KRS 344, which includes all "employers," "employment agencies," "labor organizations," "employees," "public accommodations," "real estate operators," and "real estate brokers" as defined by KRS 344.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:None.

For subsequent years:None.

2. Revenues:

For the first year:None.

For subsequent years:None.

3. Cost Savings:

For the first year:None.

For subsequent years:None.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

This administrative regulation applies to all individuals, businesses, or state and local governments subject to KRS 344, which includes all "employers," "employment agencies," "labor organizations," "employees," "public accommodations," "real estate operators," and "real estate brokers" as defined by KRS 344.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:None.

For subsequent years:None.

2. Revenues:

For the first year:None.

For subsequent years:None.

3. Cost Savings:

For the first year:None.

For subsequent years:None.

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

This administrative regulation applies to all individuals, businesses, or state and local governments subject to KRS 344, which includes all "employers," "employment agencies," "labor organizations," "employees," "public accommodations," "real estate operators," and "real estate brokers" as defined by KRS 344.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:None.

For subsequent years:None.

2. Revenues:

For the first year:None.

For subsequent years:None.

3. Cost Savings:

For the first year:None.

For subsequent years:None.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

None.

(b) Methodology and resources used to reach this conclusion:

This administrative regulation requires all individuals, businesses, or state and local governments subject to KRS 344, which includes all "employers," "employment agencies," "labor organizations," "employees," "public accommodations," "real estate operators," and "real estate brokers" as defined by KRS 344, to post and make available certain written materials provided by the Kentucky Commission on Human Rights, thus there is no fiscal impact created by this regulation.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

This administrative regulation will have no economic impact on any of the entities identified in (3)(a), (4)(a), and (5)(a), thus it will not have combined implementation and compliance cost of more than five hundred thousand dollars (\$500,000) over any two (2) year period.

(b) The methodology and resources used to reach this conclusion:

This administrative regulation requires all individuals, businesses, or state and local governments subject to KRS 344, which includes all "employers," "employment agencies," "labor organizations," "employees," "public accommodations," "real estate operators," and "real estate brokers" as defined by KRS 344, to post and make available certain written materials provided by the Kentucky Commission on Human Rights, thus there is no fiscal impact created by this regulation.

FEDERAL MANDATE ANALYSIS COMPARISON

(1) Federal statute or regulation constituting the federal mandate.

: N/A

(2) State compliance standards.

: N/A

(3) Minimum or uniform standards contained in the federal mandate.

N/A

(4) Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?

N/A

(5) Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.

N/A