

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

40 KAR 12:520. Transient Merchant Permit Bonds.

RELATES TO: KRS 365.680

STATUTORY AUTHORITY: KRS 15.180, 367.150(4), 365.680

CERTIFICATION STATEMENT: This is to certify that this administrative regulation amendment complies with the requirements of 2025 RS HB 6, Section 8.

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 367.150(4) requires the Department of Law to recommend administrative regulations in the consumers' interest. KRS 365.680 requires a transient merchant permit applicant to file a surety bond with the Attorney General when the aggregate market value of goods, wares or merchandise to be sold is one \$1,500.00 or more. This administrative regulation establishes the form to be used by a transient merchant permit applicant when submitting the required surety bond.

Section 1. Transient Merchant Permit Bond Submission. If an applicant submits a transient merchant permit application to a county clerk or an urban county government officer and the aggregate market value of goods, wares or merchandise to be sold is \$1,500.00 or more, the applicant shall complete and submit a "Transient Merchant Permit Bond Notice", Form T-1, to the Attorney General's office, and submit a surety bond complying with KRS 365.680.

Section 2. Incorporation by Reference.

(1) "Transient Merchant Permit Bond Notice", Form T-1, Nov. 2025, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of the Attorney General, Capital Complex East, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m. This material is also available on the Office's website, <https://ag.ky.gov/Pages/default.aspx>.

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

APPROVED BY AGENCY: November 11, 2025

FILED WITH LRC: November 12, 2025 at 1:20 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on January 27, 2026, at 10:00 a.m. Eastern Time at the Office of Administrative Hearings, Conference Room B, 105 Sea Hero Road, Suite 2, Conference Room B, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this Attorney General 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 January 31, 2026. 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.