

GENERAL GOVERNMENT CABINET
Kentucky Registry of Election Finance
(Amendment)

32 KAR 1:080. Report of an independent expenditure.

RELATES TO: KRS 121.150(1), KRS 121.180(15)

STATUTORY AUTHORITY: KRS 121.120(1)(g),(4)

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 121.120(1)(g) ~~authorizes[grants]~~ the Registry[registry] of Election Finance ~~[the power]~~ to promulgate administrative regulations necessary to carry out the provisions of KRS Chapter 121. KRS 121.015(18) defines "form" to mean an "an online web page of an electronic document designed to capture, validate, and submit data for processing to the registry." KRS 121.180(15) requires independent expenditures to be reported electronically to the Registry. This administrative regulation specifies the Kentucky Election Finance Management System found on the Registry's web page shall ~~[form to]~~ be used for electronically reporting independent expenditures ~~[and incorporates this form by reference].~~ ~~[KRS 121.120(4) requires the registry to promulgate administrative regulations and prescribe forms for the making of reports under KRS Chapter 121.]~~

Section 1. Any person or committee making an independent expenditure shall file the reports required by KRS 121.150(1) and KRS 121.180(15) using the Kentucky Election Finance Management System found on the Registry's web page at <https://kref.ky.gov>. ~~{The "Report of an} [Independent Expenditure" form, KREF 013, revised 05/2005, shall be the official form to report independent expenditures}.~~

~~{Section 2.} [Incorporation by Reference.]~~

~~{(1)} ["Report of Independent Expenditure", KREF 013, revised 05/2005, is incorporated by reference.]~~

~~{(2)} [This material may be inspected, copied, or obtained, subject to applicable copyright law, at the office of the Kentucky Registry of Election Finance, 140 Walnut Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.]~~

JOHN R. STEFFEN, Executive Director

APPROVED BY AGENCY: May 5, 2026

FILED WITH LRC: May 6, 2026 at 2:06 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on July 23, 2026, at 10:00AM, EDT, at the Kentucky Registry of Election Finance, 140 Walnut Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays 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. 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 July 31, 2026, at 11:59PM. 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: Leslie Saunders, General Counsel, Kentucky Registry of Election Finance, 140 Walnut Street, Frankfort, Kentucky 40601, phone (502) 573-2226, fax (502) 573-5622, email LeslieM.Saunders@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Leslie Saunders, General Counsel, Kentucky Registry of Election Finance
Phone: (502) 573-2226 **Email:** LeslieM.Saunders@ky.gov

Subject Headings: Election Finance, Elections and Voting, Open Records

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation requires the reporting of independent expenditures through use of the Registry's electronic Kentucky Election Finance Management System found on the Registry's web page.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary because KRS 121.150(1) requires independent expenditures to be reported to the Registry. KRS 121.180(15) requires the reports to be submitted electronically, but the statute does not describe the mechanism for such reporting.

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

The Registry is given the authority by statute to provide forms for the various filings that KRS Chapter 121 requires for independent expenditures.

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

This administrative regulation sets the method by which the regular electronic reporting of independent expenditures will be accomplished and provides the web page for such reporting.

(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:

This amendment facilitates the submittal of reports to the Registry for independent expenditures by specifying the submittal shall be through electronic filing on the Registry's web page. It also deletes the provision that allows material to be inspected, copied, or obtained in person at the Registry's office as reporting will be performed electronically with public access to view reports.

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

The amendment is necessary to clarify that independent expenditure reports required by statute shall be filed electronically through the Registry's web page instead of through submittal of paper reports to the Registry.

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

KRS 121.120(1)(g) authorizes the Registry to promulgate administrative regulations necessary to carry out the provisions of KRS Chapter 121. The amendment reflects a change from paper filing of independent expenditure reports to the filing of reports electronically as required by KRS 121.180(15).

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

This amendment addresses the filing of independent expenditure reports and identifies the Registry web page as the appropriate mechanism to electronically file reports per the statutory mandate.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No, but it implements legislation from 2019 SB 4.

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

Only those entities that make independent expenditures and are required to file reports with the Registry will be affected by the electronic filing mechanism, which is currently in use.

(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 will use the regulation to identify the mechanism for filing independent expenditure reports electronically with the Registry. These entities have already been complying with this mechanism and the amendment merely clarifies the requirement.

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

The regulated entities will incur no costs in complying as the action involves electronic reporting, only, which is already occurring.

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

Compliance will allow the timely reporting of electronic independent expenditure reports and will no longer require completion of paper forms to satisfy reporting obligations.

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

(a) Initially:

There will be no initial cost to the administrative body to implement this administrative regulation as the Registry's electronic reporting system is fully operational.

(b) On a continuing basis:

There will be no additional cost on a continuous basis to the administrative body to implement this administrative regulation.

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

While no additional funding will be required for the implementation and enforcement of this amended administrative regulation, the administrative body operates solely on General Funds.

(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:

It will not be necessary to increase fees or funding to implement this amended administrative regulation.

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

No fees will be established or increased.

(10) TIERING: Is tiering applied?

This amended administrative regulation does not apply tiering because these general provisions apply equally to anyone who files independent expenditure reports with the Registry. The statutes do not allow for a separate process for “small” filers, because the process afforded to all filers is the same.

FISCAL IMPACT STATEMENT

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

KRS 121.120, 121.150, and KRS 121.180

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

2019 SB 4 (2019 Ky. Acts ch. 002)

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

The Kentucky Registry of Election Finance is the promulgating agency. No other state units, parts or divisions are affected.

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

1. Expenditures:

For the first year:This administrative regulation will not result in any additional expenditures for the first year.

For subsequent years:This administrative regulation will not result in any additional expenditures for subsequent years.

2. Revenues:

For the first year:This administrative regulation will not generate revenue for the first year.

For subsequent years:This administrative regulation will not generate revenue for subsequent years.

3. Cost Savings:

For the first year:This administrative regulation will not generate any cost savings for the first year.

For subsequent years:This administrative regulation will not generate any cost savings for subsequent years.

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

The administrative regulation will not affect local entities.

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

1. Expenditures:

For the first year:This administrative regulation will not result in any additional expenditures for the first year.

For subsequent years:This administrative regulation will not result in any additional expenditures for subsequent years.

2. Revenues:

For the first year:This administrative regulation will not generate revenue for the first year.

For subsequent years:This administrative regulation will not generate revenue for subsequent years.

3. Cost Savings:

For the first year:This administrative regulation will not generate any cost savings for the first year

For subsequent years:This administrative regulation will not generate any cost savings for subsequent years.

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

The administrative regulation will affect any person or committee making independent expenditures pursuant to KRS 121.150(1) to the extent it provides for the electronic filing of independent expenditure reports as required by KRS 121.180(15). Previously these reports were filed on paper.

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

1. Expenditures:

For the first year:This administrative regulation will not result in any additional expenditures for the first year.

For subsequent years:This administrative regulation will not result in any additional expenditures for subsequent years.

2. Revenues:

For the first year:This administrative regulation will not generate revenue for the first year.

For subsequent years:This administrative regulation will not generate revenue for subsequent years.

3. Cost Savings:

For the first year:This administrative regulation will not generate any cost savings for the first year

For subsequent years:This administrative regulation will not generate any cost savings for subsequent years.

(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:

This administrative regulation has no fiscal impact, as the filing system has no associated costs to the users. Further it does nothing to change the electronic filing requirements set out by statute, but only provides the applicable web page for filers to use.

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

A review of the terms of the administrative regulation: It does nothing but specify that the Kentucky Election Finance Management System found on the Registry's web page shall be used for electronically reporting independent expenditures. The web page may be used at no cost.

(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 not have a major economic impact.

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

This administrative regulation has no fiscal impact thus no methodology was applied nor resource analysis undertaken to determine that there is not a “major economic impact.”