GENERAL GOVERNMENT CABINET
Kentucky Registry of Election Finance
(Amendment)

32 KAR 2:020. General provisions.

RELATES TO: KRS 121.120, 121.140, 446.030
STATUTORY AUTHORITY: KRS 121.120(1)(g)
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 the Registry of Election Finance to promulgate administrative regulations necessary to carry out and enforce the campaign finance laws contained in KRS Chapter 121. This administrative regulation establishes procedures for processing possible violations of campaign finance law and establishes general provisions that shall apply throughout 32 KAR Chapter 2 governing practice and procedure.

Section 1. Definitions.
(1) "Campaign finance law" means statutes in KRS Chapter 121 and administrative regulations in KAR Title 32.
(2) "Complainant" means any person who files a complaint with the Registry of Election Finance alleging a violation of campaign finance law.
(3) "Complaint" means an allegation filed with the Registry of Election Finance charging that a violation of campaign finance law has occurred or is about to occur.
(4) "Conciliation agreement" means an agreement offered by the Registry of Election Finance to an alleged violator of campaign finance law as provided in KRS 121.140.
(5) "Hearing officer" is defined by KRS 13B.010(5)~~[means the retired or former justice or judge selected by the process described in KRS 121.140(4)]~~.
(6) "Registry" means the Registry of Election Finance.
(7) "Respondent" means any person against whom a complaint has been filed with the Registry of Election Finance or against whom action is taken by the registry based upon information ascertained through its normal enforcement activity.

Section 2. Computation of Time.
(1) General provision. In computing any period of time prescribed or allowed by this administrative regulation, the provisions of KRS 446.030 shall govern, except as provided in subsection (2) of this section.
(2) Special provision for service by mail. If the registry or a person serves a document by mail, the prescribed period for the registry or any person to take the next subsequent action that is permitted or required shall include three (3) additional days.

Section 3. Enforcement Matters.
(1) Enforcement matters may be initiated by a written complaint or on the basis of information ascertained by the registry in the normal course of the performance of its duties.
(2) In order to avoid the possibility of prejudice, real or apparent, in derogation of the public interest in enforcement actions pending before the registry, interested persons outside the agency shall not make or cause to be made to any registry board member any communication relative to the factual or legal merits of an enforcement action, nor shall a registry board member make or entertain any communications relating to registry enforcement actions until the registry has concluded all action with respect to the enforcement matter in question.

(3) This section shall not be construed to prohibit contact between a respondent or respondent's attorney and a registry employee in the performance of the registry's duties. Statements made by a registry employee during these communications shall not bind or estop the registry in any way.

Section 4. Representation by Counsel; Notification.If a respondent wishes to be represented by counsel with regard to any matter pending before the registry, the respondent's counsel shall file an Entry of Appearance identifying the name, address, email address, and telephone number of the counsel and a statement signed by the respondent, identifying the subject of the representation, and authorizing the counsel to receive all notifications and other communications from the registry on the respondent's behalf.

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, Eastern Time, 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 11:59 PM. 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, Administrative Hearings

(1) Provide a brief summary of:

(a) What this administrative regulation does:
This administrative regulation currently defines general terms relevant to alleged violations of campaign finance law and sets forth procedures for processing alleged violations, including time computation, initiation of enforcement matters, and representation by counsel.

(b) The necessity of this administrative regulation:
This administrative regulation is necessary as it provides definitions used throughout 32 KAR Chapter 2 and certain generalized procedures as described above but that are not set out by statute.

(c) How this administrative regulation conforms to the content of the authorizing statutes:
The Registry of Election Finance (the "Registry") is authorized by statute to promulgate regulations to carry out the provisions of KRS Chapter 121. KRS 121.140(4) provides that the Registry has authority to conduct administrative hearings pursuant to the provisions of KRS Chapter 13B. The administrative regulation provides definitions and initial procedures for such enforcement per the statute and for terms used in 32 KAR Chapter 2 generally.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:
Per the mandates of the statute, this administrative regulation provides definitions for parties to an enforcement action and other associated terms and provides the mechanism for the timing and the filing of such actions. It also sets forth procedures for representation by counsel.

(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 amended administrative regulation deletes the current definition for "hearing officer," which differs from the definition for the term found in KRS Chapter 13B. The current definition only authorizes retired and former justices or judges to serve as hearing officers. The amended regulation defines "hearing officer" to encompass an individual, duly qualified and employed pursuant to KRS Chapter 13B, and assigned by the Registry to preside over administrative hearings.

(b) The necessity of the amendment to this administrative regulation:
The amendment is necessary to assure that the definition of the term "hearing officer" complies with amendments to KRS 121.140 and KRS 13B.010.

(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 amended regulation conforms to its authorizing statutes by deleting the current definition of "hearing

officer," which now conflicts with the relevant statutes, and replaces it with the appropriate definition in KRS 13B.010(5).

(d) How the amendment will assist in the effective administration of the statutes:
The amended regulation provides a definition for "hearing officer" which is consistent with the hearing process set forth in KRS 121.140 and KRS Chapter 13B and eliminates confusion as to the requirements of the statute.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?Yes, 2024 HB 595 (2024 Ky. Acts. Ch. 107)

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:
Only those who are parties to Registry actions or seek to preside over Registry administrative hearings will be affected by this amended administrative regulation.

(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:
Those who seek to preside as hearing officers over Registry administrative hearings will need to be certified under KRS Chapter 13B. No action is required by any other entities nor does the amendment change the statutory requirements for Registry hearing officers. It only replaces an outdated definition.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):
There are no costs associated with the amended administrative regulation. It only removes an outdated definition and replaces it with the required definition under 2024 amendments to KRS 121.140.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):
Compliance will allow individuals to serve as KRS Chapter 13B hearing officers over Registry hearings if qualified and selected to do so.

(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 amendment.

(b) On a continuing basis:
There will be no additional cost on a continuous basis to the administrative body to implement this amendment.

(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 amendment, 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 amendment does not apply tiering because these general provisions apply equally to anyone who seeks to preside over Registry administrative hearings as a KRS Chapter 13B hearing officer and to those who appear as parties before the Registry.

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(g), 121.140(4) and 446.030

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

Yes, 2024 HB 595 (2024 Ky. Acts. Ch. 107)

(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):

This amendment 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 amendment will affect only those who are qualified to be and employed as Registry hearing officers.

(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:

There are no fiscal impacts as the amendment only changes the definition for "hearing officer" to be consistent with that definition contemplated by KRS 121.140(4) and as currently found in KRS Chapter 13B.

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

A review of the terms and definitions of the administrative regulation: The only change is to the definition for "hearing officer," which does not have any fiscal impacts to any entity including the Registry.

(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."