

2 KAR 2:070. Advisory opinions.

RELATES TO: KRS 6.611, 6.666, 6.681

STATUTORY AUTHORITY: KRS 6.666(5), 6.681(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 6.666(5) requires the commission to promulgate administrative regulations necessary to implement KRS 6.601 through 6.849. KRS 6.681(4) requires the commission to promulgate administrative regulations to establish criteria for issuing confidential advisory opinions. This administrative regulation establishes criteria under which the commission may issue confidential advisory opinions.

Section 1. Definition. "Commission" is defined by KRS 6.611(9).

Section 2. Opinions.

(1) Commission opinions may be requested as set out in KRS 6.681(1) and (2).

(2) Commission opinions shall be public as set out in KRS 6.681(4) except that the commission may issue a confidential, unpublished opinion if:

(a) The person requesting the opinion asks that the opinion not be published and that it be kept confidential; and

(b) The unique nature of the request and the surrounding facts and circumstances would necessarily reveal the identity of a person associated with the opinion if the opinion were published.

(43 Ky.R. 148; eff. 10-7-2016; Cert. eff. 6-27-2023.)