

40 KAR 1:010. Conditions for furnishing opinions.

RELATES TO: KRS 15.020

STATUTORY AUTHORITY: KRS 15.180

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15.020 requires the Attorney General to furnish written opinions and KRS 15.025 sets out the conditions for furnishing opinions. This administrative regulation is to assure uniformity, clarity and completeness in the request for the opinion so that the Attorney General may perform this function with all the necessary information available at the time the opinion is rendered.

Section 1. An official opinion of the Attorney General is one rendered in writing pursuant to the provisions of Chapter 15 and related sections of the Kentucky Revised Statutes, or an administrative regulation promulgated pursuant thereto. Said opinions will be kept on file in the office of the Attorney General in accordance with the provisions of KRS 15.070(2), and will be subject to public inspection, publication and dissemination.

Section 2. In order that this office might more expeditiously and correctly advise the various departments, boards, commissions, agencies and local officials of the Commonwealth, who from time to time submit questions for its consideration, all requests for opinions in the future will be in writing and will include a full and complete statement of the facts giving rise to the question, and reference to the relevant provisions of the Kentucky Revised Statutes where known.

Section 3. Questions submitted by departments, boards, agencies and commissions of the Commonwealth, having house or contract counsel, will also submit references to the appropriate constitutional and statutory provisions, cases and departmental administrative regulations.

Section 4. Commonwealth, county and city attorneys and city prosecutors will also cite the appropriate constitutional and statutory provisions, case law and departmental administrative regulations.

(DL-RG-1; 1 Ky.R. 8; 118; eff. 9-24-1974; Crt eff. 8-23-2019.)