

787 KAR 1:230. Date of receipt of documents defined.

RELATES TO: KRS 341.262, 341.300, 341.380, 341.430(2), 341.450(1)

STATUTORY AUTHORITY: KRS 151B.020(6), 341.115(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 341.115(1) authorizes the secretary to promulgate administrative regulations necessary to implement KRS Chapter 341. This administrative regulation establishes requirements for determining the date of receipt of documents required for the administration of KRS Chapter 341.

Section 1. Except as provided in Section 2 of this administrative regulation, a contribution payment, report, continued claim, protest, or appeal shall be considered received by the department as of the date it is:

(1) Delivered to the department; or

(2) Deposited in the mail or with a commercial postal service on or before the due date, as indicated by the postmark applied by the U.S. Postal Service or official mark applied by a commercial postal service. The mark made by a privately-held postage meter shall not be considered in determining the date of receipt.

Section 2. Any report or payment received and processed by a contractor of the Department for Workforce Investment shall be considered received by the department as of the date recorded by the contractor and transmitted to the department. Any report or payment delivered to a contractor of the department by mail or commercial postal service shall be considered received five (5) business days prior to the date of delivery to the agent.

Section 3. If a due date of a contribution payment, report, continued claim, protest, or appeal falls on a day the office of the department or post office is closed, the next day the office or the post office is open shall be considered the due date.

(22 Ky.R. 484; eff. 11-6-95; Am. 27 Ky.R. 3161; 28 Ky.R. 81; eff. 7-16-2001; 33 Ky.R. 2193; 3190; eff. 5-4-2007; 34 Ky.R. 1209; eff. 2-1-2008; Crt eff. 2-24-2020.)