

13A.100 Matters which shall be prescribed by administrative regulation.

Subject to limitations in applicable statutes, any administrative body that is empowered to promulgate administrative regulations shall, by administrative regulation, prescribe, consistent with applicable statutes:

- (1) Each statement of general applicability, policy, procedure, memorandum, or other form of action that implements; interprets; prescribes law or policy; describes the organization, procedure, or practice requirements of any administrative body; or affects private rights or procedures available to the public;
- (2) The process for application for license, benefits available or other matters for which an application would be appropriate unless such process is prescribed by a statute;
- (3) Fees, except for those exempted in paragraphs (a) to (j) of this subsection, to be charged by the administrative body if such fees are authorized by law and are not set by statute:
 - (a) State park room rates;
 - (b) Prices for food in restaurants at state facilities;
 - (c) Prices for goods at gift shops at state facilities;
 - (d) Prices for groceries and other items sold at state facilities;
 - (e) Prices charged for state publications;
 - (f) Prices charged for rides and amusement activities at state facilities;
 - (g) Admission fees to athletic and entertainment events at state facilities;
 - (h) Charges for swimming, skiing, horseback riding, and similar recreational activities at state facilities;
 - (i) Charges for boat and equipment rentals for recreational purposes at state facilities; and
 - (j) Admission fees charged for seminars and educational courses by state administrative bodies;
- (4) The procedures to be utilized by the administrative body in the conduct of hearings by or for the administrative body unless such procedures are prescribed by a statute; and
- (5) The disciplinary procedures within the jurisdiction of the administrative body unless such procedures are prescribed by statute.

Effective: July 15, 2016

History: Amended 2016 Ky. Acts ch. 82, sec. 6, effective July 15, 2016. -- Amended 1990 Ky. Acts ch. 516, sec. 16, effective July 13, 1990. -- Created 1984 Ky. Acts ch. 417, sec. 10, effective April 13, 1984.

Legislative Research Commission Note. Acts 1984, ch. 419, effective July 13, 1984, provides:

"Section 1. It is the intent of the General Assembly that the amendment of Section 10 by the Free Conference Committee report to 1984 HB 334 applies only to fees which are governmental in nature charged by state agencies and not to fees and charges which are proprietary in nature.

Section 2. This resolution may be used by a court as an aid in the construction of

1984 HB 334."