

311A.040 Advisory opinions.

- (1) The board may, on petition by an interested party, issue an advisory opinion relating to the applicability to any person, property, or state of facts of a statute in this chapter, administrative regulation promulgated by the board, decision, order, or other written statement of law or policy within the jurisdiction of the board.
- (2) An advisory opinion shall be binding on the board and all parties to the proceeding on the statement of facts alleged.
- (3) The board may not retroactively change an advisory opinion, but nothing in this section shall prevent the board from prospectively changing an advisory opinion.
- (4) The board shall promulgate an administrative regulation in accordance with KRS Chapter 13A on procedures for submission, consideration, reconsideration, and disposition of a petition for an advisory opinion.
- (5) An advisory opinion of the board may be appealed to the Franklin Circuit Court within thirty (30) days of the date of the advisory opinion by the board.
- (6) Each advisory opinion shall be a public record and shall be published in the manner specified by the board.
- (7) When the board supersedes, vacates, modifies, or repeals a previous advisory opinion the new opinion shall specify each previous opinion affected.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 100, sec. 6, effective June 27, 2019. -- Created 2002 Ky. Acts ch. 211, sec. 7, effective July 15, 2002.