

338.091 Appeals -- Procedure -- Administrative regulations.

- (1) Any party adversely affected or aggrieved by a final order of the review commission may appeal within thirty (30) days to the Franklin Circuit Court on the record for a review of such order. No new evidence may be introduced in the Circuit Court. An appeal may be taken to the Court of Appeals from any decision of the Circuit Court under this section.
- (2) On appeal, the Franklin Circuit Court may award actual expenses incurred, including court costs and attorney's fees, against the department.
- (3) The department shall promulgate administrative regulations in accordance with KRS Chapter 13A to implement this section. The administrative regulations shall comply with the Equal Access to Justice Act, 28 U.S.C. sec. 2412.
- (4) The commencement of a proceeding under this section shall operate as a stay of an order of the review commission.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 105, sec. 2, effective June 27, 2025. -- Created 1972 Ky. Acts ch. 251, sec. 10.