

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE
Minutes of January 12, 2026

Call to Order and Roll Call

The January meeting of the Administrative Regulation Review Subcommittee was held on Monday, January 12, 2026, at 1:00 PM in Room 149 of the Capitol Annex. Representative Lewis, Chair, called the meeting to order, and roll call was taken.

Present were:

Members: Representative Derek Lewis, Chair; Representatives Randy Bridges, Deanna Gordon, and Mary Lou Marzian; and Senator Mike Wilson.

LRC Staff: Karen Howard, Emily Harkenrider, Carrie Nichols, Stacy Auterson, Laura Begin, Ange Darnell, Anna Latek, and Callie Lewis.

Guests: Travis Powell, Executive Vice President/General Counsel, Council on Postsecondary Education (CPE); Taylor Brown, General Counsel, State Board of Elections (SBE); Elizabeth Adams, Senior Administrative Specialist, Office of the Attorney General (OAG); Tiffany Durham, Branch Manager, OAG; Steve Humphress, Executive Director, OAG; Lisa Bond, MA, Chair, Board of Examiners of Psychology (KBEP); Jay Prather, Board Member, KBEP; Michael Kennedy, Division Director, Department for Environmental Protection (DEP); and Todd Allen, General Counsel, Board of Education (KBE).

Approval of December 8, 2025, Minutes

A motion was made by Representative Gordon and seconded by Representative Marzian to approve the minutes of the December 8, 2025, meeting. Minutes were approved by voice vote without objection.

Administrative Regulations Reviewed by this Subcommittee:

COUNCIL ON POSTSECONDARY EDUCATION: Public Educational Institutions

013 KAR 002:111. Repeal of 013 KAR 002:110.

STATE BOARD OF ELECTIONS: Election Voting Systems

031 KAR 002:010. Preparation of ballots and voting systems prior to election day.

A motion was made and seconded to approve the following amendment: to amend the RELATES TO and STATUTORY AUTHORITY paragraphs and Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 002:020. Accuracy test and setting of voting systems prior to election day.

A motion was made and seconded to approve the following amendment: to amend the RELATES TO and STATUTORY AUTHORITY paragraphs and Sections 1 and 7 through 9 to include a link to access incorporated material and comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 002:030. E-poll book product certification.

A motion was made and seconded to approve the following amendment: to amend the RELATES TO paragraph and Sections 1 and 2 to include a link to access incorporated material and comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

Statewide Voter Registration

031 KAR 003:010. Current address of Kentucky registered voters and distribution of voter registration lists.

A motion was made and seconded to approve the following amendments: (1) to amend Sections 1 and 2 to change references from "statewide voter registration database" to "statewide electronic voter registration system"; and (2) to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Section 2 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

031 KAR 003:031. Voting precinct and address of overseas voter whose last place of residence in the Commonwealth is no longer a recognized residential address.

031 KAR 003:041. Electronic Voter Registration System.

Forms and Procedures

031 KAR 004:020. Election costs and county clerk reimbursement and form.

A motion was made and seconded to approve the following amendment: to amend Sections 1 and 2 to include a link to access incorporated material and comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 004:031. Reporting.

A motion was made and seconded to approve the following amendment: to amend the STATUTORY AUTHORITY and NECESSITY, FUNCTION, AND CONFORMITY paragraphs

and Sections 1, 3, and 4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 004:050. Removal procedure for precinct election officers.

031 KAR 004:071. Recanvass procedures.

031 KAR 004:080. Preclearance counties.

031 KAR 004:090. Mock election for school children.

031 KAR 004:100. Evaluation of precinct election officers.

A motion was made and seconded to approve the following amendment: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 4 to include a link to access incorporated material and comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 004:120. Additional and emergency precinct officers.

A motion was made and seconded to approve the following amendment: to amend Section 5 to include a link to access incorporated material. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 004:131. Delivery and return of absentee ballots transmitted to covered voters via facsimile or electronically.

031 KAR 004:141. Submission of the federal postcard application via electronic mail.

031 KAR 004:150. Tracking registration of voters identifying with political organizations and groups, and voters of independent status.

A motion was made and seconded to approve the following amendment: to amend the RELATES TO paragraph and Section 2 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 004:160. Elections Emergency Contingency Plan.

A motion was made and seconded to approve the following amendment: to amend the RELATES TO paragraph and Sections 2 and 10 to include a link to access incorporated

material and comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 004:170. Exceptions to prohibition on electioneering.

031 KAR 004:196. Consolidation of precincts and precinct election officers.

031 KAR 004:201. Chain of custody for records during an election contest.

031 KAR 004:220. Recount procedures.

A motion was made and seconded to approve the following amendment: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1, 2, and 9 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 004:230. Post-election audit procedures.

Voting

031 KAR 005:011. Use of the federal write-in absentee ballot.

031 KAR 005:026. Ballot standards and election security.

031 KAR 005:040. Questions regarding voter eligibility.

Help America Vote Act 2002

031 KAR 006:010. State-based administrative complaint procedure.

A motion was made and seconded to approve the following amendment: to amend the RELATES TO paragraph and Sections 5 and 12 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 006:020. Provisional voting.

A motion was made and seconded to approve the following amendment: to amend Section 7 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

031 KAR 006:030. Uniform definition of a vote.

031 KAR 006:040. Elections and Voting Equipment Security Plan.

A motion was made and seconded to approve the following amendment: to amend the RELATES TO paragraph and Sections 1 and 3 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

OFFICE OF THE ATTORNEY GENERAL: Office of Regulatory Relief

040 KAR 012:100. Funeral planning declaration form.

A motion was made and seconded to approve the following amendment: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 3 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

040 KAR 012:110. Cemetery companies and preneed cemetery merchandise sellers.

A motion was made and seconded to approve the following amendment: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 7 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

040 KAR 012:120. Preneed funeral and burial contract sellers.

A motion was made and seconded to approve the following amendment: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 5 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

040 KAR 012:130. Crematory authorities and inspections.

A motion was made and seconded to approve the following amendment: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1, 3, 4, and 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

BOARDS AND COMMISSIONS: Board of Examiners of Psychology

201 KAR 026:118. Psychology interjurisdictional compact.

201 KAR 026:155. Licensed psychologist: application procedure and temporary license.

A motion was made and seconded to approve the following amendment: to amend Sections 1 through 3 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

201 KAR 026:160. Fee schedule.

A motion was made and seconded to approve the following amendment: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 and 5 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

In response to Chair Lewis, Lisa Bond, Chair, KBEP, stated this is the first fee increase in over 20 years, and the board is attempting to follow inflation. KBEP is operating at a deficit and dipping into reserve funds, which need to be replenished. The proposed fees are commensurate with Ohio and West Virginia.

In response to Representative Marzian, Ms. Bond stated the fees do not create excess funds, which the state could sweep, but are intended to fund operations without using reserves. Jay Prather, Board Member, KBEP, explained the board is hiring private counsel because the state terminated the board's contract for legal services, which doubled legal costs. The new fees are the result of KBEP's best estimates of expected expenditures, which it hopes will avoid another increase during the three-year renewal cycle.

Chair Lewis stated he will talk with co-chairs of the committee of jurisdiction and advised the board to bring its budget to that committee and be ready to answer questions.

201 KAR 026:171. Requirements for clinical supervision.

A motion was made and seconded to approve the following amendment: to amend Sections 1, 4, 5, 8, 11, 12, 13, and 15 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

201 KAR 026:175. Continuing education.

201 KAR 026:190. Requirements for supervised professional experience.

201 KAR 026:280. Licensed psychological associate: application procedures and temporary license.

A motion was made and seconded to approve the following amendment: to amend Sections 1, 2, and 4 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

**ENERGY AND ENVIRONMENT CABINET: Department for Environmental Protection:
Division for Air Quality**

401 KAR 060:005. 40 C.F.R. Part 60 standards of performance for new stationary sources.

401 KAR 063:002. 40 C.F.R. Part 63 national emission standards for hazardous air pollutants.

EDUCATION AND LABOR CABINET: Board of Education: Office of Chief State School Officer

701 KAR 005:150. Nontraditional instruction program.

A motion was made and seconded to approve the following amendment: to amend Sections 1 through 3, and 5 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

701 KAR 005:170. Waiver Requests.

A motion was made and seconded to approve the following amendment: to amend Sections 3, 4, 6, and 7 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

Office of Instruction

704 KAR 003:406. Superintendent training program and assessment process.

A motion was made and seconded to approve the following amendment: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 3 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendment was approved.

Academic Standards

704 KAR 008:020. Required academic standards for reading and writing.

Other Business:

Chair Lewis recognized and congratulated Ange Bertholf Darnell as the new Regulations Compiler.

The following administrative regulations were DEFERRED OR REMOVED from the January 12, 2026, subcommittee agenda:

AGRICULTURAL EXPERIMENT STATION: Feed

012 KAR 002:006. Definitions for 12 KAR Chapter 2.

012 KAR 002:011. Label format.

012 KAR 002:018. Guaranteed analysis.

012 KAR 002:026. Ingredients.

012 KAR 002:041. Drug and feed additives.

012 KAR 002:046. Poisonous or deleterious substances.

012 KAR 002:051. Manufacturing conditions.

Pet Food

012 KAR 003:012. Label format and labeling.

012 KAR 003:022. Expression of guarantees.

012 KAR 003:027. Ingredients.

012 KAR 003:028. Descriptive terms.

012 KAR 003:032. Feeding directions.

012 KAR 003:037. Drugs and pet food additives.

012 KAR 003:039. Nutritional adequacy.

012 KAR 003:042. Statements of calorie content.

COMMISSION ON HUMAN RIGHTS: Human Rights

104 KAR 001:010. Posting, distribution and availability of notices and pamphlets.

BOARDS AND COMMISSIONS: Board of Licensure for Long-Term Care Administrators

201 KAR 006:030. Temporary permits.

201 KAR 006:071. Continuing education requirements.

Board of Veterinary Examiners

201 KAR 016:730. Approved allied animal professional (AAHP) programs; education requirements.

201 KAR 016:731. Examination requirements for AAHP providers.

201 KAR 016:732. Application requirements for AAHP licenses – reinstatement.

201 KAR 016:735. Renewal requirements for AAHP licenses – renewal notice – expiration.

201 KAR 016:737. Responsibilities for AAHP providers; limitations on practice.

201 KAR 016:762. Application requirements for veterinary facility registration; veterinarian managers; registered responsible parties.

201 KAR 016:767. Registered veterinary facilities – Duties of registered responsible parties and veterinarian managers.

201 KAR 016:772. Application requirements for AAHP facility registration; AAHP managers; Registered responsible parties.

201 KAR 016:775. AAHP facilities – Renewal notice – Requirements for renewal and reinstatement.

201 KAR 016:777. Registered AAHP facilities – Duties of registered responsible parties and AAHP managers.

Board of Licensure for Professional Engineers and Land Surveyors

201 KAR 018:072. Experience.

JUSTICE AND PUBLIC SAFETY CABINET: Department of Juvenile Justice: Child Welfare

505 KAR 001:140E. Department of Juvenile Justice Policies and Procedures Manual: detention services.

505 KAR 001:140. Department of Juvenile Justice Policies and Procedures Manual: detention services.

505 KAR 001:410E. Restrictive housing and protective custody.

505 KAR 001:410. Restrictive housing and protective custody.

EDUCATION AND LABOR CABINET: Board of Education: Pupil Transportation

702 KAR 005:130. Non-school bus passenger vehicles.

Office of Instruction

704 KAR 003:410. Preschool education program for four (4) year old children.

PUBLIC PROTECTION CABINET: Department of Alcoholic Beverage Control

804 KAR 013:010E. Tobacco enforcement and administration.

804 KAR 013:020E. Tobacco, nicotine, or vapor product license application forms.

804 KAR 013:030E. Causes for denial of tobacco, nicotine, or vapor product license.

804 KAR 013:040E. Notice of intention to apply for tobacco, nicotine, or vapor product transitional license.

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Public Health: Controlled Substances

902 KAR 055:015. Schedules of controlled substances.

Department for Medicaid Services: Payment & Services

907 KAR 003:320. Beneficiary Advisory Council and modifications to the Advisory Council for Medical Assistance to establish the Kentucky Medicaid Advisory Committee.

Outpatient Pharmacy Program

907 KAR 023:010. Outpatient Pharmacy Program.

Department for Community Based Services: Child Welfare

922 KAR 001:565. Service array for a relative or fictive kin caregiver.

The subcommittee adjourned at 1:20 PM. The next meeting of this subcommittee is tentatively scheduled for February 9, 2026, at 1 PM in Room 149 of the Annex.