

1 AN ACT relating to administrative regulations.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 13A.010 is amended to read as follows:

4 As used in this chapter, unless the context otherwise requires:

- 5 (1) "Administrative body" means each state board, bureau, cabinet, commission,
6 department, authority, officer, or other entity, except the General Assembly and the
7 Court of Justice, authorized by law to promulgate administrative regulations;
- 8 (2) "Administrative regulation" means each statement of general applicability
9 promulgated by an administrative body that implements, interprets, or prescribes
10 law or policy, or describes the organization, procedure, or practice requirements of
11 any administrative body. The term includes an existing administrative regulation, a
12 new administrative regulation, an emergency administrative regulation, an
13 administrative regulation in contemplation of a statute, and the amendment,
14 ***renewal***, or repeal of an existing administrative regulation, but does not include:
- 15 (a) Statements concerning only the internal management of an administrative
16 body and not affecting private rights or procedures available to the public;
- 17 (b) Declaratory rulings;
- 18 (c) Intradepartmental memoranda not in conflict with KRS 13A.130;
- 19 (d) Statements relating to acquisition of property for highway purposes and
20 statements relating to the construction or maintenance of highways; or
- 21 (e) Rules, regulations, and policies of the governing boards of institutions that
22 make up the postsecondary education system defined in KRS 164.001
23 pertaining to students attending or applicants to the institutions, to faculty and
24 staff of the respective institutions, or to the control and maintenance of land
25 and buildings occupied by the respective institutions;
- 26 (3) "Adopted" means that an administrative regulation has become effective in
27 accordance with the provisions of this chapter;

- 1 (4) "Authorizing signature" means the signature of the head of the administrative body
2 authorized by statute to promulgate administrative regulations;
- 3 (5) "Commission" means the Legislative Research Commission;
- 4 (6) "Effective" means that an administrative regulation has completed the legislative
5 subcommittee review established by KRS 13A.290, 13A.330, and 13A.331;
- 6 (7) "Federal mandate" means any federal constitutional, legislative, or executive law or
7 order that requires or permits any administrative body to engage in regulatory
8 activities that impose compliance standards, reporting requirements, recordkeeping,
9 or similar responsibilities upon entities in the Commonwealth;
- 10 (8) "Federal mandate comparison" means a written statement containing the
11 information required by KRS 13A.245;
- 12 (9) "Filed" or "promulgated" means that an administrative regulation, or other
13 document required to be filed by this chapter, has been submitted to the
14 Commission in accordance with this chapter;
- 15 (10) "Last effective date" means the most recent date an ordinary administrative
16 regulation became effective pursuant to KRS 13A.330 or 13A.331 and does not
17 include the date a technical amendment was made pursuant to KRS 13A.2255(2)
18 or 13A.312 or subsection (10) of Section 2 of this Act.
- 19 (11) "Local government" means and includes a city, county, urban-county, charter
20 county, consolidated local government, special district, or a quasi-governmental
21 body authorized by the Kentucky Revised Statutes or a local ordinance;
- 22 (12)~~(11)~~ "Proposed administrative regulation" means an administrative regulation that:
23 (a) Has been filed by an administrative body; and
24 (b) Has not become effective or been withdrawn;
- 25 (13)~~(12)~~ "Regulatory impact analysis" means a written statement containing the
26 provisions required by KRS 13A.240;
- 27 (14)~~(13)~~ "Small business" means a business entity, including its affiliates, that:

- 1 (a) Is independently owned and operated; and
- 2 (b) 1. Employs fewer than one hundred fifty (150) full-time employees or their
- 3 equivalent; or
- 4 2. Has gross annual sales of less than six million dollars (\$6,000,000);

5 ~~(15)~~~~(14)~~ "Statement of consideration" means the document required by KRS 13A.280

6 in which the administrative body summarizes the comments received, its responses

7 to those comments, and the action taken, if any, as a result of those comments and

8 responses;

9 ~~(16)~~~~(15)~~ "Subcommittee" means the Administrative Regulation Review Subcommittee,

10 any other subcommittee of the Legislative Research Commission, an interim joint

11 committee, or a House and Senate standing committee;

12 ~~(17)~~~~(16)~~ "Tiering" means the tailoring of regulatory requirements to fit the particular

13 circumstances surrounding regulated entities; and

14 ~~(18)~~~~(17)~~ "Written comments" means comments submitted to the administrative body's

15 contact person identified pursuant to KRS 13A.220(6)(d) via hand delivery, United

16 States mail, e-mail, or facsimile and may include but is not limited to comments

17 submitted internally from within the promulgating administrative body or from

18 another administrative body.

19 ➔Section 2. KRS 13A.040 is amended to read as follows:

20 The director of the Legislative Research Commission shall appoint an administrative

21 regulations compiler who shall:

- 22 (1) Receive administrative regulations, and other documents required to be filed by the
- 23 provisions of this chapter, tendered for filing;
- 24 (2) Stamp administrative regulations tendered for filing with the time and date of
- 25 receipt;
- 26 (3) Provide administrative and support services to the subcommittee;
- 27 (4) Maintain a file of administrative regulations and other documents required to be

- 1 filed by this chapter, for public inspection, with suitable indexes;
- 2 (5) Maintain a file of ineffective administrative regulations;
- 3 (6) Maintain a file of material incorporated by reference, including superseded or
4 ineffective material incorporated by reference;
- 5 (7) Prepare the Kentucky Administrative Regulations Service;
- 6 (8) Upon request, certify copies of administrative regulations and other documents that
7 have been filed with the regulations compiler;
- 8 (9) Correct errors that do not change the substance of an administrative regulation,
9 including, but not limited to, typographical errors, errors in format, and grammatical
10 errors;
- 11 (10) Change items in an administrative regulation in response to a specific written
12 request for a technical amendment submitted by the administrative body if the
13 regulations compiler determines that the requested changes do not affect the
14 substance of the administrative regulation. Examples of technical amendments
15 include the address of the administrative body, citations to statutes or other
16 administrative regulations if a format change within that statute or administrative
17 regulation has changed the numbering or lettering of parts, or other changes in
18 accordance with KRS 13A.312;
- 19 (11) Refuse to accept for filing administrative regulations, and other documents required
20 to be filed by this chapter, that do not conform to the drafting, formatting, or filing
21 requirements established by the provisions of KRS 13A.190(4) to (10), 13A.220,
22 13A.222(1), (2), and (3), 13A.230, and 13A.280, and notify the administrative body
23 in writing of the reasons for refusing to accept an administrative regulation for
24 filing;
- 25 **(12) Maintain a list of all administrative regulation numbers and the corresponding**
26 **last effective date, based on the information included in the history line of each**
27 **administrative regulation;** and

1 ~~(13)~~~~(12)~~ Perform other duties required by the Commission or by a subcommittee.

2 →Section 3. KRS 13A.220 is amended to read as follows:

3 All administrative regulations shall comply with the provisions of KRS 13A.222 and
4 13A.224.

5 (1) (a) An administrative body shall file with the regulations compiler:

- 6 1. The original and five (5) copies of an administrative regulation; and
- 7 2. At the same time as, or prior to, filing the paper version, an electronic
8 version of the administrative regulation and required attachments saved
9 as a single document for each administrative regulation in an electronic
10 format approved by the regulations compiler.

11 (b) If there are differences between the paper copy and the electronic version of
12 an administrative regulation filed with the regulations compiler, the electronic
13 version shall be the controlling version.

14 (2) The original and four (4) copies of each administrative regulation shall be stapled in
15 the top left corner. The fifth copy of each administrative regulation shall not be
16 stapled. The original and the five (5) copies of each administrative regulation shall
17 be grouped together.

18 (3) An amendment to, or renewal of, an administrative regulation shall not be made on
19 a copy of the administrative regulation reproduced from the Kentucky
20 Administrative Regulations Service or the Administrative Register. The
21 amendment or renewal~~(H)~~ shall be a typed original in the format specified in
22 subsection (4) of this section.

23 (4) The format of an administrative regulation shall be as follows:

24 (a) An administrative regulation shall be typewritten on white paper, size eight
25 and one-half (8-1/2) by eleven (11) inches and shall be double-spaced through
26 the last line of the body of the administrative regulation. The first page shall
27 have a two (2) inch top margin. The administrative regulation shall be typed in

- 1 a twelve (12) point font approved by the regulations compiler. The lines on
2 each page shall be numbered, with each page starting with line number one
3 (1). Pages of an administrative regulation and documents attached to the
4 administrative regulation shall be numbered sequentially. Page numbers shall
5 be centered in the bottom margin of each page. Copies of the administrative
6 regulation may be mechanically reproduced;
- 7 (b) The regulations compiler shall place a stamp indicating the date and time of
8 receipt of the administrative regulation in the two (2) inch margin on the first
9 page;
- 10 (c) The cabinet, department, and division of the administrative body shall be
11 listed on separate double-spaced lines two (2) inches from the top in the upper
12 left hand corner of the first page. This shall be followed on the next double-
13 spaced line by "(New Administrative Regulation)," "(Amendment),"
14 "(Amended After Comments)," "(Repealer)," "(New Emergency
15 Administrative Regulation)," "(Emergency Amendment)," ~~"(Emergency~~
16 ~~Repealer),"~~ or "(Renewal)," whichever is applicable;
- 17 (d) The notation shall be followed by the number and title of the administrative
18 regulation on the next double-spaced line. The promulgating administrative
19 body shall contact the regulations compiler prior to filing to obtain an
20 administrative regulation number for a new administrative regulation;
- 21 (e) On the next double-spaced line following the number and title of an
22 administrative regulation, after the words "RELATES TO:," the
23 administrative body shall list all statutes and other enactments, including any
24 branch budget bills or executive orders, to which the administrative regulation
25 relates or which shall be affected by the administrative regulation. After the
26 words "STATUTORY AUTHORITY:" the administrative body shall list the
27 specific statutes and other enactments, where applicable, authorizing the

1 promulgation of the administrative regulation. Federal statutes and regulations
2 shall be cited in the "RELATES TO:" and "STATUTORY AUTHORITY:"
3 sections as provided by KRS 13A.222(4)(n) and (o); and

4 (f) Following the citations provided for in paragraph (e) of this subsection, and
5 following the words "NECESSITY, FUNCTION, AND CONFORMITY:" the
6 administrative body shall include a brief statement setting forth the necessity
7 for promulgating the administrative regulation, a summary of the functions
8 intended to be implemented by the administrative regulation, and, if
9 applicable, the statement required by KRS 13A.245(2)(b).

10 (5) The numbering within the body of an administrative regulation shall be the
11 responsibility of the promulgating body, subject to the authority of the regulations
12 compiler to divide or renumber an administrative regulation. The following format
13 shall be used by the administrative body in the numbering of each administrative
14 regulation. Each section shall begin with the word "Section" followed by an Arabic
15 number, and titles of sections shall be initially capitalized. Subsections shall be
16 designated by an Arabic number in parentheses. Paragraphs shall be designated by
17 lower case letters of the alphabet in parentheses (e.g., (a), (b), (c), etc.).
18 Subparagraphs shall be designated by an Arabic number followed by a period (e.g.,
19 1., 2., etc.). Clauses shall be designated by lower case letters of the alphabet
20 followed by a period (e.g., a., b., c., etc.). Subclauses shall be designated by lower
21 case Roman numerals in parentheses (e.g., (i), (ii), (iii), etc.). A section shall not be
22 divided into subsections, paragraphs, subparagraphs, clauses, or subclauses if there
23 is only one (1) item in that level of division.

24 (6) After the complete text of an administrative regulation, on the following page, the
25 administrative body shall include the following information:

26 (a) If the provisions of KRS 13A.120(3) are applicable, a statement that the
27 official or the head of the administrative body has reviewed or approved the

- 1 administrative regulation; the signature of such official or head; and the date
2 on which such review or approval occurred;
- 3 (b) The authorizing signature of the administrative body promulgating the
4 administrative regulation, and the date on which the administrative body
5 approved the promulgation;
- 6 (c) Information relating to public hearings and the public comment period
7 required by KRS 13A.270; and
- 8 (d) The name, position, mailing address, telephone number, e-mail address, and
9 facsimile number of the contact person of the administrative body. The
10 contact person shall be the person authorized by the head of an administrative
11 body to:
- 12 1. Receive information relating to issues raised by the public or by a
13 subcommittee prior to a public meeting of the subcommittee;
 - 14 2. Negotiate changes in language with a subcommittee in order to resolve
15 such issues; and
 - 16 3. Answer questions relating to the administrative regulation.
- 17 (7) The format for signatures required by subsection (6)(a) and (b) of this section shall
18 be as follows:
- 19 (a) The signature shall be placed on a signature line; and
 - 20 (b) The name and title of the person signing shall be typed immediately beneath
21 the signature line.
- 22 (8) (a) A letter of request, notification, or withdrawal required to be filed with the
23 regulations compiler pursuant to this chapter may be filed electronically if the
24 letter:
- 25 1. Is on the administrative body's official letterhead; and
 - 26 2. Contains the signature of a representative of that administrative body.
- 27 (b) Paragraph (a) of this subsection shall not apply to the letters required by KRS

1 13A.320(2)(b) for amendments at a subcommittee meeting.

2 ➔Section 4. KRS 13A.222 is amended to read as follows:

- 3 (1) In a new administrative regulation or a renewal of an administrative regulation,
- 4 there shall be no underlining or bracketing.
- 5 (2) In an amendment to an administrative regulation, the new words shall precede the
- 6 deleted words. The administrative body shall:
- 7 (a) Underline all new words; and
- 8 (b) Place the deleted words in brackets and strike through these words.
- 9 (3) (a) An administrative regulation shall not be amended by reference to a section
- 10 only. An amendment shall contain the full text of the existing administrative
- 11 regulation being amended. All changes made to the text of the existing
- 12 administrative regulation shall be marked as required by subsection (2) of this
- 13 section.
- 14 (b) A section of an administrative regulation shall not be reserved for future use.
- 15 (4) In drafting administrative regulations, the administrative body shall comply with the
- 16 following requirements:
- 17 (a) The administrative body shall use plain and unambiguous words that are
- 18 easily understood by laymen. The administrative body shall avoid ambiguous,
- 19 indefinite, or superfluous words and phrases;
- 20 (b) A duty, obligation, or prohibition shall be expressed by "shall" or "shall not."
- 21 "Should," "could," or "must" shall not be used. The future tense shall not be
- 22 expressed by the word "shall." A discretionary power shall be expressed by
- 23 "may";
- 24 (c) The words "said," "aforesaid," "hereinabove," "hereinafter,"
- 25 "beforementioned," "whatsoever," or similar words of reference or emphasis
- 26 shall not be used. Where an article may be used, the administrative body shall
- 27 not use the word "such." It shall not use the expression "and/or" and shall not

1 separate alternatives with a slash. It shall not use contractions. When a number
2 of items are all mandatory, the word "and" shall be used. When all of a
3 number of items are not mandatory, the word "or" shall be used;

4 (d) Certain words are defined in the Kentucky Revised Statutes. Where
5 applicable, these definitions shall be used. Definitions appearing in the
6 Kentucky Revised Statutes shall not be duplicated in a proposed
7 administrative regulation. A reference shall be made to the chapters and
8 sections of the Kentucky Revised Statutes in which the definitions appear. The
9 format for this reference shall be: ("Defined term") is defined by KRS
10 (specific citation).";

11 (e) 1. If definitions are used, they shall be placed in alphabetical order in the
12 first section of an administrative regulation or in a separate
13 administrative regulation.

14 2. a. If definitions are placed in the first section of an administrative
15 regulation, the definitions shall govern only the terms in that
16 administrative regulation.

17 b. The section shall be titled "Definition." or "Definitions."

18 c. A definition shall not be included in a definitions section if the
19 defined term is not used in that administrative regulation or the
20 material incorporated by reference in that administrative
21 regulation.

22 3. a. If definitions are placed in a separate administrative regulation,
23 that administrative regulation shall be the first administrative
24 regulation of the specific chapter of the Kentucky Administrative
25 Regulations Service to which the definitions apply.

26 b. The title of the administrative regulation shall contain the number
27 of the chapter of the Kentucky Administrative Regulations Service

- 1 to which the definitions apply and shall be in the format:
2 "Definitions for (title number) KAR Chapter (chapter number)."
- 3 c. A definition shall not be included in a definitions administrative
4 regulation if the defined term is not used in an administrative
5 regulation in that specific chapter or the material incorporated by
6 reference in an administrative regulation in that chapter.
- 7 4. In the text of an administrative regulation, the word defined in the
8 definitions section, rather than the definition, shall be used.
- 9 5. Definitions shall be used only:
- 10 a. When a word is used in a sense other than its dictionary meaning,
11 or is used in the sense of one (1) of several dictionary meanings;
- 12 b. To avoid repetition of a phrase; or
- 13 c. To limit or extend the provisions of an administrative regulation.
- 14 6. Definitions shall not establish requirements or standards;
- 15 (f) If a word has the same meaning as a phrase, the word shall be used;
- 16 (g) The present tense and the indicative mood shall be used. Conditions precedent
17 shall be stated in the perfect tense if their happening is required to be
18 completed;
- 19 (h) The same arrangement and form of expression shall be used throughout an
20 administrative regulation, unless the meaning requires variations;
- 21 (i) "If" or "except" shall be used rather than "provided that" or "provided,
22 however." "If" shall be used to express conditions, rather than the words
23 "when" or "where";
- 24 (j) A word importing the masculine gender may extend to females. A word
25 importing the singular number may extend to several persons or things;
- 26 (k) Any reference in an administrative regulation to "medical doctor," "M.D.," or
27 "physician" shall be deemed to include a doctor of osteopathy or D.O., unless

1 either of those terms is specifically excluded;

2 (l) An administrative body shall use the phrases specified in this subsection:

3	Do Not Use:	Use:
4	And/or	"and" for a conjunctive
5		"or" for a disjunctive
6	Any and all	either word
7	As provided in this	
8	administrative regulation	----
9	And the same hereby is	is
10	Either directly or indirectly	----
11	Except where otherwise	State specific
12	provided	exemption.
13	Final and conclusive	final
14	Full force and effect	force or effect
15	In the event that; In case	if
16	Including but not	State the specific items
17	limited to	to be included.
18	Is authorized; Is empowered	may
19	Is defined and shall be	
20	construed to mean	means
21	Is hereby required to	shall
22	It shall be lawful	may
23	Latin words	Do not use unless medical or
24		scientific terminology.
25		However, "et seq." may
26		be used for citations.
27	Null and void and of no effect	void

1	Order and direct	either word
2	Provision of law	law
3	Until such time as	until
4	Whenever	if;

- 5 (m) 1. Unless the authority for an administrative regulation is an appropriation
6 provision that is not codified in the Kentucky Revised Statutes, the
7 specific chapter and section number of the Kentucky Revised Statutes
8 authorizing the promulgation of an administrative regulation shall be
9 cited.
- 10 2. a. If an act has not been codified in the Kentucky Revised Statutes at
11 the time an administrative regulation is promulgated, or if the
12 authority is any branch budget bill, the citation shall be as follows:
13 "(year) Ky. Acts ch. (chapter number), sec. (section number)."
14 When an act has been codified, the administrative body shall notify
15 the regulations compiler of the proper citation in writing. Upon
16 receipt of the written notice, the regulations compiler shall correct
17 the citation.
- 18 b. For acts of extraordinary sessions, the citation shall be as follows:
19 "(year) (Extra. Sess.) Ky. Acts ch. (chapter number), sec. (section
20 number)." If there is more than one (1) extraordinary session of the
21 General Assembly in the year, the citation shall specify the specific
22 extraordinary session, as follows: "(year) (2d Extra. Sess.) Ky.
23 Acts ch. (chapter number), sec. (section number)."
- 24 3. When an act has been codified, the administrative body shall notify the
25 regulations compiler of the proper citation of the Kentucky Revised
26 Statutes in writing. Upon receipt of the written notice, the regulations
27 compiler shall correct the citation.

- 1 4. If the statutory authority is an appropriation act, the citation shall be as
2 follows: "(year) Ky. Acts ch. (chapter number), Part (part and subpart
3 numbers)."
- 4 5. If the authority is an executive order, the citation shall be as follows:
5 "EO (year executive order issued)-(number of executive order)";
- 6 (n) If the statutory authority is a federal statute, the citation shall be the:
- 7 1. United States Code (U.S.C.), if it has been codified; or
8 2. Public Law (Pub. L.) and official session laws, if it has not been
9 codified;
- 10 (o) 1. If the statutory authority is a federal regulation codified in the Code of
11 Federal Regulations, the citation shall include the title, part, and section
12 number, as follows: "(title number) C.F.R. (part and section number)."
- 13 2. a. If the statutory authority is a federal regulation that has not been
14 codified in the Code of Federal Regulations, the citation shall be to
15 the Federal Register, as follows: "(volume number) Fed. Reg.
16 (page number) (effective date of the federal regulation) (section of
17 Code of Federal Regulations in which it will be codified)."
- 18 b. When the federal regulation is codified, the citation shall be
19 amended to read as provided by subparagraph 1. of this paragraph.
- 20 3. a. If the statutory authority is a federal regulation that has been
21 amended, and the amendment is not reflected in the current issue
22 date of the volume of the Code of Federal Regulations in which
23 the federal regulation is codified, the citation shall be to the
24 Federal Register as follows: "(federal regulation that has been
25 amended), (volume number) Fed. Reg. (page number) (effective
26 date of the amendment)."
- 27 b. When the amendment is codified in the appropriate volume of the

1 Code of Federal Regulations, the citation shall be amended to read
2 as provided by subparagraph 1. of this paragraph;

3 (p) Citations of items in the "RELATES TO" paragraph of an administrative
4 regulation shall comply with paragraphs (m), (n), and (o) of this subsection;
5 and

6 (q) An administrative regulation may cite the popular name of a federal or state
7 law if the first usage of the popular name in that administrative regulation is
8 accompanied by the citation required by this subsection.

9 ➔Section 5. KRS 13A.310 is amended to read as follows:

10 (1) **Except as provided in subsection (6) of this section,** an administrative regulation,
11 once adopted, cannot be withdrawn but shall be repealed if it is desired that it no
12 longer be effective.

13 (2) **Except as provided in subsection (6) of this section,** an administrative regulation,
14 once adopted, cannot be suspended but shall be repealed if it is desired to suspend
15 its effect.

16 (3) (a) An administrative regulation shall be repealed only by the promulgation of an
17 administrative regulation that:

18 1. Is titled "Repeal of (state number of administrative regulation to be
19 repealed)";

20 2. Contains the reasons for repeal in the "NECESSITY, FUNCTION, AND
21 CONFORMITY" paragraph;

22 3. Includes in the body of the administrative regulation, a citation to the
23 number and title of the administrative regulation or regulations being
24 repealed; and

25 4. Meets the filing and formatting requirements of KRS 13A.220.

26 (b) 1. Except as provided in subparagraph 2. of this paragraph, on the effective
27 date of an administrative regulation that repeals an administrative

1 regulation, determined in accordance with KRS 13A.330 or 13A.331,
2 the regulations compiler shall delete the repealed administrative
3 regulation and the repealing administrative regulation from the
4 Kentucky Administrative Regulations Service.

5 2. If the repealing administrative regulation specifies an effective date that
6 is after the administrative regulation would become effective pursuant to
7 KRS 13A.330 or 13A.331, the specified effective date shall be
8 considered the effective date of the repealing administrative regulation.
9 On the specified effective date, the regulations compiler shall delete the
10 repealed administrative regulation and the repealing administrative
11 regulation from the Kentucky Administrative Regulations Service.

12 (c) An administrative body may repeal more than one (1) administrative
13 regulation in an administrative regulation promulgated pursuant to paragraph
14 (a) of this subsection if the administrative regulations being repealed are
15 contained in the same chapter of the Kentucky Administrative Regulations
16 Service.

17 (4) (a) An ordinary administrative regulation may be withdrawn by the promulgating
18 administrative body at any time prior to its adoption.

19 (b) An ordinary administrative regulation that has been found deficient may be
20 withdrawn by the promulgating administrative body at any time prior to
21 receipt by the regulations compiler of the determination of the Governor made
22 pursuant to KRS 13A.330 or 13A.331 or may be withdrawn by the Governor.

23 (c) If an ordinary administrative regulation is withdrawn, the administrative body
24 or the Governor shall inform the regulations compiler of the reasons for
25 withdrawal in writing.

26 (5) Once an ordinary administrative regulation is withdrawn, it shall not be reinstated,
27 except by repromulgation as a totally new matter.

1 (6) (a) Except as provided in paragraph (b) of this subsection, beginning July 1,
2 2017, an ordinary administrative regulation shall expire seven (7) years
3 after its last effective date.

4 (b) An administrative regulation that has a last effective date prior to July 1,
5 2012, shall expire on July 1, 2019.

6 (7) Beginning July 1, 2019, the regulations compiler shall:

7 (a) Delete expired administrative regulations from the Kentucky Administrative
8 Regulations Service; and

9 (b) Add all administrative regulations that expire pursuant to subsection (6) of
10 this section to the list established in subsection (5) of Section 2 of this Act.

11 (8) (a) Within three (3) months of the effective date of this Act, the regulations
12 compiler shall send each administrative body a list of the current
13 administrative regulations promulgated by that administrative body and the
14 corresponding last effective dates of those administrative regulations.

15 (b) If an administrative body does not want an administrative regulation to
16 expire pursuant to subsection (6) of this section, the administrative body
17 shall:

18 1. Review the administrative regulation as required by KRS 13A.221 in
19 its entirety for compliance with the requirements of KRS Chapter 13A
20 and current law governing the subject matter of the administrative
21 regulation; and

22 2. At least seven (7) months prior to the expiration date established by
23 subsection (6) of this section, file an administrative regulation that
24 complies with the requirements of this chapter and is styled as:

25 a. An "(Amendment)," which includes the changes required
26 following the review conducted pursuant to subparagraph 1. of
27 this paragraph, with the changes marked as required by

- 1 subsection (2) of Section 4 of this Act; or
- 2 b. A "(Renewal)," which may be filed only if the review conducted
- 3 pursuant to subparagraph 1. of this paragraph indicates that
- 4 changes are not needed to the existing administrative regulation.
- 5 (c) 1. If the amendment or renewal becomes effective pursuant to KRS
- 6 13A.330 or 13A.331 prior to the expiration date established by
- 7 subsection (6) of this section, the administrative regulation shall not
- 8 expire.
- 9 2. a. If the amendment or renewal does not become effective pursuant
- 10 to KRS 13A.330 or 13A.331 prior to the expiration date
- 11 established by subsection (6) of this section, the administrative
- 12 regulation shall not expire if the amendment or renewal was
- 13 filed in accordance with paragraph (b)2. of this subsection and is
- 14 continuing through the administrative regulations process.
- 15 b. If the administrative body withdraws the amendment or renewal,
- 16 the administrative regulation shall expire pursuant to subsection
- 17 (6) of this section.