

1 A CONCURRENT RESOLUTION directing the Legislative Research Commission
2 to study the impact of administrative regulations on the Commonwealth of Kentucky.

3 WHEREAS, administrative regulations are essential to allow the executive branch
4 to carry out its constitutional duties; and

5 WHEREAS, limits on administrative authority are imperative so that a government
6 does not encroach on the liberties of its people; and

7 WHEREAS, clear and precise language defining the boundaries of executive
8 authority is essential to ensure that a government agency does not exceed its authority;
9 and

10 WHEREAS, administrative regulations that do not clearly define parameters of
11 authority create confusion; and

12 WHEREAS, administrative regulations that are unclear may lead to inadvertent
13 noncompliance on the part of citizens and governmental entities; and

14 WHEREAS, if government agencies overstep the bounds of their statutory
15 authority, an abuse of power and a lack of recourse for citizens diminishes confidence in
16 the rule of law;

17 NOW, THEREFORE,

18 ***Be it resolved by the Senate of the General Assembly of the Commonwealth of***
19 ***Kentucky, the House of Representatives concurring therein:***

20 ➔Section 1. The staff of the Legislative Research Commission is directed to
21 complete a study of the effectiveness of administrative regulations in the Commonwealth
22 of Kentucky.

23 ➔Section 2. The study under Section 1 of this Resolution shall include an analysis
24 of:

25 (1) Whether any statutes authorizing the promulgation of administrative
26 regulations are unclear, and what changes are needed to provide more clarity;

27 (2) Whether any administrative regulations are unclear or do not conform to

1 statutory authority, and what changes will provide clarity to unclear regulations or bring
2 nonconforming regulations into compliance; and

3 (3) Whether a truncated injunctive procedure could be added into KRS 13A.130
4 to expedite relief to a citizen or entity aggrieved by a violation of that section.

5 ➔Section 3. The study described in Sections 1 and 2 of this Resolution shall be
6 submitted to the Interim Joint Committee on State Government no later than December 1,
7 2024.

8 ➔Section 4. Provisions of this Resolution to the contrary notwithstanding, the
9 Legislative Research Commission shall have the authority to alternatively assign the
10 issues identified herein to an interim joint committee or subcommittee thereof, and to
11 designate a study completion date.