

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.220 is amended to read as follows:

4 All administrative regulations shall comply with the provisions of KRS 13A.222 and
5 13A.224.

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

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

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

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

19 (3) An amendment to an administrative regulation shall not be made on a copy of the
20 administrative regulation reproduced from the Kentucky Administrative
21 Regulations Service or the Administrative Register. It shall be a typed original in
22 the format specified in 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

- 1 in 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 Amended After Comments)," or "(Emergency Repealer)," whichever is
17 applicable;
- 18 (d) The notation shall be followed by the number and title of the administrative
19 regulation on the next double-spaced line. The promulgating administrative
20 body shall contact the regulations compiler prior to filing to obtain an
21 administrative regulation number for a new administrative regulation;
- 22 (e) On the next double-spaced line following the number and title of an
23 administrative regulation, after the words "RELATES TO:," the
24 administrative body shall list all statutes and other enactments, including any
25 branch budget bills or executive orders, to which the administrative regulation
26 relates or which shall be affected by the administrative regulation. After the
27 words "STATUTORY AUTHORITY:" the administrative body shall list the

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

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

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

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

27 (a) If the provisions of KRS 13A.120(3) are applicable, a statement that the

- 1 official or the head of the administrative body has reviewed or approved the
2 administrative regulation; the signature of such official or head; and the date
3 on which such review or approval occurred;
- 4 (b) The authorizing signature of the administrative body promulgating the
5 administrative regulation, and the date on which the administrative body
6 approved the promulgation;
- 7 (c) Information relating to public hearings and the public comment period
8 required by KRS 13A.270; and
- 9 (d) The name, position, mailing address, telephone number, email~~[e-mail]~~
10 address, and facsimile number of the contact person of the administrative
11 body. The contact person shall be the person authorized by the head of an
12 administrative body to:
- 13 1. Receive information relating to issues raised by the public or by a
14 legislative committee prior to a public meeting of the legislative
15 committee;
 - 16 2. Negotiate changes in language with a legislative committee in order to
17 resolve such issues; and
 - 18 3. Answer questions relating to the administrative regulation.
- 19 (7) The format for signatures required by subsection (6)(a) and (b) of this section shall
20 be as follows:
- 21 (a) The signature shall be placed on a signature line; and
 - 22 (b) The name and title of the person signing shall be typed immediately beneath
23 the signature line.
- 24 (8) An administrative body shall prominently display on its website~~[Web site]~~:
- 25 (a) A notice that an administrative regulation has been filed with the
26 Commission;
 - 27 (b) A summary of the administrative regulation including:

- 1 1. The number of the administrative regulation;
- 2 2. The title of the administrative regulation; and
- 3 3. Any changes made if it is an existing administrative regulation;
- 4 (c) Information on how to access the administrative regulation on the
- 5 Commission's website~~[Web site]~~; and
- 6 (d) The dates of the public comment period and the place, time, and date of the
- 7 scheduled public hearing as well as the manner in which interested parties
- 8 shall submit:
 - 9 1. Notification of attending the public hearing; and
 - 10 2. Written comments.
- 11 (9) (a) A letter of request, notification, or withdrawal required to be filed with the
- 12 regulations compiler pursuant to this chapter may be filed electronically if the
- 13 letter:
 - 14 1. Is on the administrative body's official letterhead; and
 - 15 2. Contains the signature of a representative of that administrative body.
- 16 (b) Paragraph (a) of this subsection shall not apply to the letters required by KRS
- 17 13A.320(2)(b) for amendments at a legislative committee meeting.