

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION
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Amend printed copy of **SB 52/HCS 1**

On page 1, line 14, after "**Police**" delete ":" and insert "**; and**" in lieu thereof; and

On page 1, between lines 14 and 15, insert:

"(5) 'Administratively complete application' means an application that the agency determines to contain information addressing each application requirement and to contain all information necessary to initial technical processing and public review."; and

On page 1, line 20, after "**days**", insert "**of receipt of an administratively complete application**"; and

On page 1, line 22, after "**rule;**" delete "**or**"; and

On page 1, line 24, after "**permit**" delete ":" and insert "**; or**" in lieu thereof; and

On page 1, between lines 24 and 25, insert:

"(c) The sixty (60) day timeframe may be extended once by the agency for up to an additional thirty (30) days by the head of the agency and notice to the applicant that additional times is necessary for making the permit determination."; and

Starting on page 1, line 25, to page 2, line 11, delete subsection (3) in its entirety and insert in lieu thereof the following:

"(3) If a license or permit is not approved or denied within the timeframe established in subsection (2) of this section, the agency shall waive and refund all fees associated with the application, and the applicant may consider the failure to act as a final action subject

Amendment No. HFA

Rep. Rep. Erika Hancock

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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to administrative and judicial review. Costs and expenses, including reasonable attorney fees, associated with an order directing the agency to render a final decision on the application, may be awarded unless the failure to have acted within the timeline is found to be justified in order to protect public health, safety, or welfare.

(4) The running of the timeline in subsection (2) of this section for issuance or a denial of the application shall be tolled from the date of:

(a) Issuance of a notice or letter of deficiency to an applicant requesting submittal of additional or revised information, until submittal of the requested information by the applicant; and

(b) A request for review by another state or federal agency required for a determination on the application, and receipt of a response to the request for review."; and

On page 2, line 12, delete "(4)" and insert "(5)" in lieu thereof; and

On page 2, line 13, after "question", delete ", without deference to a state agency"; and

On page 2, line 14, delete "(5)" and insert "(6)" in lieu thereof; and

On page 2, line 16, after "law", insert "or regulation"; and

On page 2, line 17, after "law", insert "or regulation"; and

Beginning on page 2, line 24, and continuing to page 3, line 14, delete Section 3 in its entirety and insert in lieu thereof the following:

"➔SECTION 3. A NEW SECTION OF KRS CHAPTER 61 IS CREATED TO READ AS FOLLOWS:

An applicant who has been denied a license or permit may request an administrative hearing to be conducted by the state agency that issued the denial. The state agency shall conduct the hearing in accordance with this section and KRS Chapter 13B or the relevant provision governing administrative hearings for that state agency. The allocation of burdens or proof

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and persuasion, and use of depositions in evidence, shall be governed by those provisions.;

and

On page 3, line 21, delete "**If requested by an applicant to an action,**" and insert in lieu thereof "**In any proceeding for judicial review pursuant to KRS 13B.140(3) or relevant provision governing judicial review of final orders and actions by that state agency, on request by any party to the proceeding**"; and

On page 3, line 23, after "**court**" delete "**shall**" and insert "**may**" in lieu thereof; and

On page 3, line 25, after "**to**", insert "**briefings,**".