

1 AN ACT relating to administrative regulations.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO
4 READ AS FOLLOWS:

5 (1) Sections 1 to 3 of this Act shall only apply to administrative regulations
6 promulgated or filed by:

7 (a) An administrative body listed in KRS 13A.105(3);

8 (b) An office, division, or other unit within an administrative body listed in KRS
9 13A.105(3); or

10 (c) An occupational board or commission established in KRS Chapters 309 to
11 335.

12 (2) (a) Any administrative regulation in effect prior to the effective date of this Act
13 shall be exempt from the final legislative approval process established in
14 Sections 1 to 3 of this Act until July 1, 2031.

15 (b) On or after July 1, 2031, any administrative regulation not exempted under
16 this section, regardless of its effective date, shall be subject to the final
17 legislative approval process established in Sections 1 to 3 of this Act.

18 (3) If an ordinary administrative regulation is necessary to prevent a loss of federal
19 or state funding, it shall go into effect after completing the administrative
20 regulation review process under this chapter, but that administrative regulation
21 shall expire upon the next sine die adjournment of a regular session if not first
22 ratified by the General Assembly in accordance with Sections 1 to 3 of this Act.

23 (4) Sections 1 to 3 of this Act shall not be interpreted to reverse or modify any section
24 of this chapter that became law prior to the effective date of this Act if that
25 section's primary purpose is to codify any legislative committee's finding of
26 deficiency regarding one (1) or more administrative regulations.

27 (5) (a) An ordinary administrative regulation shall not be final and enforceable

1 until it is:

2 1. Considered adopted under Section 7 of this Act; and

3 2. Affirmatively ratified by legislation passed in accordance with Section
4 3 of this Act that becomes a law.

5 (b) If an ordinary administrative regulation is not affirmatively and specifically
6 ratified by legislation passed in accordance with Section 3 of this Act that
7 becomes a law, that administrative regulation shall be void.

8 (c) If an effective emergency administrative regulation that has completed the
9 review process under this chapter is not affirmatively and specifically
10 ratified by legislation passed in accordance with Section 3 of this Act that
11 becomes a law, it shall expire upon the next sine die adjournment of a
12 regular session.

13 (6) An administrative regulation shall be exempt from the ratification process
14 established in Sections 1 to 3 of this Act if the following conditions are met:

15 (a) The administrative regulation was granted final legislative approval and
16 was ratified in accordance with Sections 1 to 3 of this Act in a previous
17 regular session; and

18 (b) The administrative regulation has not been amended or modified in any
19 way, except for technical corrections authorized by Section 5 of this Act and
20 KRS 13A.312, since it was most recently ratified in accordance with
21 Sections 1 to 3 of this Act.

22 (7) An administrative body may promulgate an emergency administrative regulation
23 only as authorized by this chapter.

24 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO
25 READ AS FOLLOWS:

26 (1) Except as otherwise provided in this section:

27 (a) If an administrative regulation is received on or before March 1, the

1 General Assembly shall have until the last day of the regular legislative
2 session of that year to review and act upon the administrative regulation;
3 and

4 (b) If an administrative regulation is received after March 1, the General
5 Assembly shall have until the last day of the regular legislative session of
6 the next year to review and act upon the administrative regulation.

7 (2) (a) By enacting legislation in accordance with Section 3 of this Act, the General
8 Assembly:

9 1. Grants final legislative approval to any administrative regulation
10 specifically included in the ratification list contained in the legislation;
11 and

12 2. Disapproves any administrative regulation that is subject to Section 1
13 of this Act and not:

14 a. Specifically included in the ratification list contained in the
15 legislation; or

16 b. Exempted under subsection (6) of Section 1 of this Act.

17 (b) An administrative regulation disapproved under paragraph (a)2. of this
18 subsection shall be void or expire in accordance with subsection (5) of
19 Section 1 of this Act.

20 (3) Unless otherwise authorized by the General Assembly, the administrative body
21 that promulgated or filed an administrative regulation that is disapproved by the
22 General Assembly in accordance with subsection (2)(a)2. of this section shall:

23 (a) File notice of the General Assembly's disapproval with the regulations
24 compiler for publication in the Administrative Register; and

25 (b) Not submit an identical administrative regulation before sine die
26 adjournment of the next regular legislative session.

27 (4) (a) Upon ratification and final legislative approval of administrative

1 regulations in accordance with Sections 1 to 3 of this Act, each
2 administrative body shall submit a list of its ratified administrative
3 regulations to the regulations compiler.

4 (b) The regulations compiler shall add the data from any list of ratified
5 administrative regulations submitted by an administrative body under
6 paragraph (a) of this subsection to the list required by subsection (13) of
7 Section 5 of this Act.

8 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO
9 READ AS FOLLOWS:

10 (1) The regulations compiler shall submit to the Committee on Committees of each
11 chamber each administrative regulation that is subject to Section 1 of this Act
12 and:

13 (a) Considered adopted under Section 7 of this Act; or

14 (b) An effective emergency administrative regulation that has completed the
15 administrative regulation review process under this chapter.

16 (2) (a) Upon receipt of any filed or promulgated administrative regulations from
17 the regulations compiler, the Committee on Committees of each chamber
18 shall assign the administrative regulations to the appropriate committees for
19 review.

20 (b) Each committee shall submit its recommendation to the full chamber within
21 two (2) weeks after the committee's receipt of an administrative regulation.

22 (c) The full chamber may consider a committee's recommendation regarding
23 ratification of each administrative regulation when passing legislation in
24 accordance with this section.

25 (3) The General Assembly may prepare omnibus administrative regulation approval
26 legislation for consideration each regular session.

27 (4) (a) The administrative regulation approval legislation shall be substantially in

1 the following form:

2 "All proposed emergency and ordinary administrative regulations subject to
3 Section 1 of this Act filed on or before March 1 are hereby void and
4 disapproved, except for the following:".

5 (b) The legislation shall list all administrative regulations being ratified and
6 receiving final legislative approval.

7 (c) If an entire range, chapter, or title of administrative regulations is ratified,
8 listing that range, chapter, or title in the legislation shall constitute
9 ratification of all administrative regulations within that range, chapter, or
10 title.

11 (5) If an administrative regulation subject to Section 1 of this Act is not affirmatively
12 and specifically ratified and given final legislative approval through legislation
13 under this section or is not exempted under subsection (6) of Section 1 of this Act,
14 that administrative regulation shall be void or shall expire in accordance with
15 subsection (5) of Section 1 of this Act.

16 (6) If omnibus administrative regulation approval legislation fails to pass both
17 houses of the General Assembly or otherwise fails to become a law, the Governor
18 may, by May 15 of that same year, declare all administrative regulations subject
19 to that legislation to be approved, finally adopted, and enforceable by filing a
20 single declaration with the regulations compiler for publication in the
21 Administrative Register.

22 ➔Section 4. KRS 13A.010 is amended to read as follows:

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

24 (1) "Administrative body" means each state board, bureau, cabinet, commission,
25 department, authority, officer, or other entity, except the General Assembly and the
26 Court of Justice, authorized by law to promulgate administrative regulations;

27 (2) "Administrative regulation" means each statement of general applicability

1 promulgated by an administrative body that implements, interprets, or prescribes
2 law or policy, or describes the organization, procedure, or practice requirements of
3 any administrative body. The term includes an existing administrative regulation, a
4 new administrative regulation, an emergency administrative regulation, an
5 administrative regulation in contemplation of a statute, and the amendment or
6 repeal of an existing administrative regulation, but does not include:

- 7 (a) Statements concerning only the internal management of an administrative
8 body and not affecting private rights or procedures available to the public;
9 (b) Declaratory rulings;
10 (c) Intradepartmental memoranda not in conflict with KRS 13A.130;
11 (d) Statements relating to acquisition of property for highway purposes and
12 statements relating to the construction or maintenance of highways; or
13 (e) Rules, regulations, and policies of the governing boards of institutions that
14 make up the postsecondary education system defined in KRS 164.001
15 pertaining to students attending or applicants to the institutions, to faculty and
16 staff of the respective institutions, or to the control and maintenance of land
17 and buildings occupied by the respective institutions;
- 18 (3) "Adopted" means that an administrative regulation has become effective in
19 accordance with the provisions of this chapter;
- 20 (4) "Authorizing signature" means the signature of the head of the administrative body
21 authorized by statute to promulgate administrative regulations;
- 22 (5) "Commission" means the Legislative Research Commission;
- 23 (6) "Effective" means an administrative regulation that has completed the legislative
24 committee review established by KRS 13A.290, 13A.330, and 13A.331(1). *The*
25 *effective status of an administrative regulation is subject to ratification or*
26 *disapproval under Sections 1 to 3 of this Act;*
- 27 (7) "Federal mandate" means any federal constitutional, legislative, or executive law or

1 order that requires or permits any administrative body to engage in regulatory
2 activities that impose compliance standards, reporting requirements, recordkeeping,
3 or similar responsibilities upon entities in the Commonwealth;

4 (8) "Federal mandate comparison" means a written statement containing the
5 information required by KRS 13A.245;

6 (9) "Filed" or "promulgated" means that an administrative regulation, or other
7 document required to be filed by this chapter, has been submitted to the
8 Commission in accordance with this chapter;

9 (10) "Final legislative approval" means the process by which an administrative
10 regulation has been ratified through enacted legislation in accordance with
11 Sections 1 to 3 of this Act;

12 (11) "Full review" means that a filed administrative regulation is on an agenda for:

13 (a) The subcommittee as the last step required by this chapter prior to assignment
14 in accordance with KRS 13A.290(6);

15 (b) A legislative committee as the last step required by this chapter for an
16 ordinary administrative regulation before becoming effective upon
17 adjournment in accordance with KRS 13A.331(1)(a) and (b)(~~2~~); or

18 (c) A legislative committee as an emergency administrative regulation being
19 reviewed after assignment in accordance with KRS 13A.290(6) and (7);

20 (12)~~(11)~~ "Last effective date" means the latter of:

21 (a) The most recent date an ordinary administrative regulation became effective,
22 without including the date a technical amendment was made pursuant to KRS
23 13A.040(10), 13A.2255(2), or 13A.312; or

24 (b) The date a certification letter was filed with the regulations compiler for that
25 administrative regulation pursuant to KRS 13A.3104(4), if the letter stated
26 that the administrative regulation shall remain in effect without amendment;

27 (13)~~(12)~~ "Legislative committee" means an interim joint committee, a House or Senate

1 standing committee, a statutory committee, or a subcommittee of the Legislative
2 Research Commission;

3 ~~(14)~~~~[(13)]~~ "Local government" means and includes a city, county, urban-county, charter
4 county, consolidated local government, special district, or a quasi-governmental
5 body authorized by the Kentucky Revised Statutes or a local ordinance;

6 ~~(15)~~~~[(14)]~~ "Major economic impact" means the combined implementation and
7 compliance costs of an administrative regulation are at least five hundred thousand
8 dollars (\$500,000) over any two (2) year period;

9 ~~(16)~~~~[(15)]~~ "Proposed administrative regulation" means an administrative regulation that:

- 10 (a) Has been filed by an administrative body; and
11 (b) Has not become effective or been withdrawn;

12 ~~(17)~~ *"Ratified" means an administrative regulation that has been given final*
13 *legislative approval through legislation enacted in accordance with Sections 1 to*
14 *3 of this Act;*

15 ~~(18)~~~~[(16)]~~ "Regulatory impact analysis" means a written statement containing the
16 provisions required by KRS 13A.240;

17 ~~(19)~~~~[(17)]~~ "Signature" means the application of letters or numbers that signify the intent
18 to sign, are uniquely linked to the signer, and are:

- 19 (a) Produced by manual or handwritten means;
20 (b) An image of the manual or handwritten signature produced under paragraph
21 (a) of this subsection; or
22 (c) Produced by using a digital signature scheme or electronic confirmation
23 method that allows for verification of authenticity;

24 ~~(20)~~~~[(18)]~~ "Small business" means a business entity, including its affiliates, that:

- 25 (a) Is independently owned and operated; and
26 (b) 1. Employs fewer than one hundred fifty (150) full-time employees or their
27 equivalent; or

1 2. Has gross annual sales of less than six million dollars (\$6,000,000);

2 (21)~~[(19)]~~ "Statement of consideration" means the document required by KRS 13A.280
3 in which the administrative body summarizes the comments received, its responses
4 to those comments, and the action taken, if any, as a result of those comments and
5 responses;

6 (22)~~[(20)]~~ "Subcommittee" means the Administrative Regulation Review Subcommittee
7 of the Legislative Research Commission;

8 (23)~~[(21)]~~ "Tiering" means the tailoring of regulatory requirements to fit the particular
9 circumstances surrounding regulated entities; and

10 (24)~~[(22)]~~ "Written comments" means comments submitted to the administrative body's
11 contact person identified pursuant to KRS 13A.220(6)(d) via hand delivery, United
12 States mail, email, or facsimile and may include but is not limited to comments
13 submitted internally from within the promulgating administrative body or from
14 another administrative body.

15 ➔Section 5. KRS 13A.040 is amended to read as follows:

16 The director of the Legislative Research Commission shall appoint an administrative
17 regulations compiler who shall:

18 (1) Receive administrative regulations, and other documents required to be filed by the
19 provisions of this chapter, tendered for filing;

20 (2) Stamp administrative regulations tendered for filing with the time and date of
21 receipt;

22 (3) Provide administrative and support services to the subcommittee;

23 (4) Maintain a file of administrative regulations and other documents required to be
24 filed by this chapter, for public inspection, with suitable indexes;

25 (5) Maintain a file of ineffective administrative regulations;

26 (6) Maintain a file of material incorporated by reference, including superseded or
27 ineffective material incorporated by reference;

- 1 (7) Prepare the Kentucky Administrative Regulations Service;
- 2 (8) Upon request, certify copies of administrative regulations and other documents that
3 have been filed with the regulations compiler;
- 4 (9) Correct errors that do not change the substance of an administrative regulation,
5 including but not limited to typographical errors, errors in format, and grammatical
6 errors;
- 7 (10) (a) Change the following items in an administrative regulation in response to a
8 specific written request for a technical amendment submitted by the
9 administrative body if the regulations compiler determines that the requested
10 changes do not affect the scope or substance of the administrative regulation
11 and the changes are provided in accordance with KRS 13A.312(3):
- 12 1. The administrative body's identifying information, including address,
13 phone number, fax number, website address, and email address;
- 14 2. Typographical errors, errors in format, and grammatical errors;
- 15 3. Citations to statutes or other administrative regulations if a format
16 change within that statute or administrative regulation has changed the
17 numbering or lettering of parts; or
- 18 4. Other changes in accordance with KRS 13A.312; and
- 19 (b) Notify the administrative body within thirty (30) business days of receipt of a
20 technical amendment letter the status of the request, including:
- 21 1. Any requested changes that are accepted as technical amendments; and
22 2. Any requested changes that are not accepted as technical amendments;
- 23 (11) Refuse to accept for filing administrative regulations, and other documents required
24 to be filed by this chapter, that do not conform to the drafting, formatting, or filing
25 requirements established by the provisions of KRS 13A.105, 13A.190(5) to (11),
26 13A.220, 13A.222(1), (2), and (3), 13A.230, 13A.280, 13A.312, and 13A.320, and
27 notify the administrative body in writing of the reasons for refusing to accept an

1 administrative regulation for filing;
2 (12) Maintain a list of all administrative regulation numbers and the corresponding last
3 effective date, based on the information included in the history line of each
4 administrative regulation;~~{and}~~

5 (13) Maintain a list of all administrative regulations that have been ratified and
6 granted final legislative approval or disapproval through the process established
7 in Sections 1 to 3 of this Act, and the effective date of each ratification; and

8 (14) Perform other duties required by the Commission or by a legislative committee.

9 ➔Section 6. KRS 13A.3102 is amended to read as follows:

10 (1) (a) An ordinary administrative regulation with a last effective date on or after
11 March 1, 2013, shall expire seven (7) years after its last effective date, except
12 as provided by the certification process in KRS 13A.3104.

13 (b) Beginning on April 1, 2027, an administrative regulation shall be ratified in
14 the latest enacted version of the legislation authorized under Section 3 of
15 this Act to be eligible under paragraph (a) of this subsection.

16 (c) For purposes of this chapter, the "last effective date" shall not include any
17 administrative regulation effective date established by final legislative
18 approval or the ratification process in legislation established in Sections 1 to
19 3 of this Act.

20 (2) An ordinary administrative regulation with a last effective date before March 1,
21 2013, shall expire on March 1, 2020, except as provided by the certification process
22 in KRS 13A.3104.

23 (3) For all administrative regulations that expire under this section or KRS 13A.3104,
24 the regulations compiler shall:

25 (a) Delete them from the Kentucky Administrative Regulations Service;

26 (b) Add them to the list of ineffective administrative regulations; and

27 (c) Beginning on September 1, 2020, and at least once every six (6) months

1 thereafter, publish a list of administrative regulations that have expired since
2 the most recent previous list was published under this paragraph.

3 (4) Within three (3) months of June 27, 2019, and at least once every six (6) months
4 thereafter, the regulations compiler shall publish a list of existing administrative
5 regulations and their corresponding last effective dates.

6 ➔Section 7. KRS 13A.331 is amended to read as follows:

7 (1) A filed ordinary administrative regulation that has not been deferred or found
8 deficient and has been referred by the Commission to a legislative committee shall
9 be considered as adopted and shall become effective:

10 (a)~~[(1)]~~ Upon adjournment of a meeting of a legislative committee other than the
11 subcommittee if:

12 1.~~[(a)]~~ The administrative regulation was on the meeting agenda; and

13 2.~~[(b)]~~ A quorum was present;

14 (b)~~[(2)]~~ Upon adjournment of a meeting of a House or Senate standing
15 committee if:

16 1.~~[(a)]~~ The administrative regulation was on its meeting agenda;

17 2.~~[(b)]~~ A quorum was present; and

18 3.~~[(c)]~~ The administrative regulation has previously been on a meeting
19 agenda of the other standing committee when a quorum was present; or

20 (c)~~[(3)]~~ At the expiration of the review period established in KRS 13A.290(7), if
21 within the review period a legislative committee has failed to meet or failed to
22 place a filed administrative regulation on a meeting agenda.

23 (2) Any adoption or effective status for an administrative regulation under this
24 section shall be subject to and superseded by any subsequent ratification or
25 disapproval of the administrative regulation through enacted legislation in
26 accordance with Sections 1 to 3 of this Act.

27 ➔Section 8. KRS 13A.190 is amended to read as follows:

- 1 (1) An emergency administrative regulation is an administrative regulation that:
- 2 (a) An administrative body can clearly demonstrate, through documentary
- 3 evidence submitted with the filing of the emergency administrative regulation,
- 4 must be placed into effect immediately in order to:
- 5 1. Meet an imminent threat to public health, safety, welfare, or the
- 6 environment;
- 7 2. Prevent an imminent loss of federal or state funds;
- 8 3. Meet an imminent deadline for the promulgation of an administrative
- 9 regulation that is established by state statute or federal law; or
- 10 4. Comply with an executive order issued under KRS Chapter 39A; and
- 11 (b) 1. Is temporary in nature and will expire as provided in this section; or
- 12 2. Is temporary in nature and will be replaced by an ordinary
- 13 administrative regulation as provided in this section.
- 14 For the purposes of this section, "imminent" means within two hundred seventy
- 15 (270) days of the filing of the emergency administrative regulation.
- 16 (2) An agency's finding of an emergency pursuant to this section shall not be based on
- 17 the agency's failure to timely process and file administrative regulations through the
- 18 ordinary administrative regulation process.
- 19 (3) An emergency administrative regulation:
- 20 (a) Shall become effective and shall be considered as adopted upon filing;
- 21 (b) Shall be published in the Administrative Register in accordance with the
- 22 publication deadline established in KRS 13A.050(3);
- 23 (c) Shall be subject to the public comment provisions established in KRS
- 24 13A.270 and 13A.280;
- 25 (d) 1. May be reviewed at a subsequent meeting of a legislative committee
- 26 after the filing of the emergency administrative regulation; and
- 27 2. May, by a vote of the majority of the legislative committee's

1 membership as established by KRS 13A.020(4) and 13A.290(9), be
2 found to be deficient, and the deficiency shall be reported to the
3 Governor pursuant to KRS 13A.330(2); and

4 (e) May be amended:

5 1. By the promulgating administrative body after receiving public
6 comments as established in KRS 13A.280. The amended after
7 comments version shall:

8 a. Become effective upon filing; and

9 b. Not require a statement of emergency; or

10 2. At a legislative committee meeting as established in KRS 13A.320. The
11 amendment shall be approved as established by KRS 13A.020(4) or
12 KRS 13A.290(9). The amended version shall become effective upon
13 adjournment of the meeting following the procedures established in
14 KRS 13A.020(4) or 13A.331(1)(a) and (b)~~(2)~~.

15 (4) (a) Except as provided by paragraph (b) of this subsection, emergency
16 administrative regulations shall expire two hundred seventy (270) days after
17 the date of filing or when the same matter filed as an ordinary administrative
18 regulation filed for review is adopted, whichever occurs first.

19 (b) If an administrative body extends the time for filing a statement of
20 consideration for an ordinary administrative regulation as provided by KRS
21 13A.280(2)(b), an emergency administrative regulation shall remain in effect
22 for two hundred seventy (270) days after the date of filing plus the number of
23 days extended under the provisions of KRS 13A.280(2)(b) or when the same
24 matter filed as an ordinary administrative regulation filed for review is
25 adopted, whichever occurs first.

26 (c) Filing an emergency amended after comments administrative regulation shall
27 not affect the expiration of an emergency regulation as established in

1 paragraphs (a) and (b) of this subsection.

2 (5) Except as established in subsection (6) of this section, an emergency administrative
3 regulation with the same number or title or governing the same subject matter shall
4 not be filed for a period of two hundred seventy (270) days after it has been initially
5 filed.

6 (6) If an emergency administrative regulation with the same number or title or
7 governing the same subject matter as an emergency administrative regulation filed
8 within the previous two hundred seventy (270) days is filed, it shall contain a
9 detailed explanation of the manner in which it differs from the previously filed
10 emergency administrative regulation. The detailed explanation shall be included in
11 the statement of emergency required by subsection (7) of this section.

12 (7) Each emergency administrative regulation shall contain a statement of:

- 13 (a) The nature of the emergency;
- 14 (b) The reasons why an ordinary administrative regulation is not sufficient;
- 15 (c) Whether or not the emergency administrative regulation will be replaced by
16 an ordinary administrative regulation;
- 17 (d) If the emergency administrative regulation will be replaced by an ordinary
18 administrative regulation, the following statement: "The ordinary
19 administrative regulation (is or is not) identical to this emergency
20 administrative regulation.";
- 21 (e) If the emergency administrative regulation will not be replaced by an ordinary
22 administrative regulation, the reasons therefor; and
- 23 (f) If applicable, the explanation required by subsection (6) of this section.

24 (8) (a) An administrative body shall attach the:

- 25 1. Statement of emergency required by subsection (7) of this section to the
26 front of the original and each copy of a proposed emergency
27 administrative regulation;

- 1 2. Public hearing and public comment period information required by KRS
2 13A.270(2), regulatory impact analysis, tiering statement, federal
3 mandate comparison, fiscal note, summary of material incorporated by
4 reference if applicable, and other forms or documents required by the
5 provisions of this chapter to the back of the emergency administrative
6 regulation; and
- 7 3. Documentary evidence submitted justifying the finding of an emergency
8 in accordance with subsection (1) of this section to the back of the
9 emergency regulation if it is:
- 10 a. No more than ten (10) pages in length; and
- 11 b. Typewritten on white paper, size eight and one-half (8-1/2) by
12 eleven (11) inches, and single-sided.
- 13 Larger volumes of documentary evidence shall be filed in a separate
14 binder, on a CD-ROM or DVD disc, or in a different electronic format
15 approved by the regulations compiler.
- 16 (b) An administrative body shall file with the regulations compiler:
- 17 1. The original and four (4) copies of the emergency administrative
18 regulation; and
- 19 2. At the same time as, or prior to, filing the paper version, an electronic
20 version of the emergency administrative regulation and the attachments
21 required by paragraph (a) of this subsection saved as a single document
22 for each emergency administrative regulation in an electronic format
23 approved by the regulations compiler.
- 24 (c) 1. Each original emergency administrative regulation shall be single-sided
25 and stapled in the top left corner.
- 26 2. One (1) of the copies shall be single-sided and unstapled.
- 27 3. The other three (3) copies shall be stapled in the top left corner and may

1 be double-sided.

2 4. The original and the four (4) copies of each emergency administrative
3 regulation shall be grouped together.

4 (9) The statement of emergency shall have a two (2) inch top margin. The number of
5 the emergency administrative regulation shall be typed directly below the heading
6 "Statement of Emergency." The number of the emergency administrative regulation
7 shall be the same number as the ordinary administrative regulation followed by an
8 "E."

9 (10) Each executive department emergency administrative regulation shall be signed by
10 the head of the administrative body and countersigned by the Governor prior to
11 filing with the Commission. These signatures shall be on the statement of
12 emergency attached to the front of the emergency administrative regulation.

13 (11) If an emergency administrative regulation will be replaced by an ordinary
14 administrative regulation, the ordinary administrative regulation shall be filed at the
15 same time as the emergency administrative regulation that it will replace.

16 (12) If an ordinary administrative regulation that was filed to replace an emergency
17 administrative regulation:

18 (a) Is withdrawn:

19 1. The emergency administrative regulation shall expire on the date the
20 ordinary administrative regulation is withdrawn; and

21 2. The administrative body shall inform the regulations compiler of the
22 reasons for withdrawal in writing; or

23 (b) Expires, the emergency administrative regulation shall expire on the date the
24 ordinary administrative regulation expires pursuant to KRS 13A.315(1).

25 (13) (a) If an emergency administrative regulation that was intended to be replaced by
26 an ordinary administrative regulation is withdrawn, the emergency
27 administrative regulation shall expire on the date it is withdrawn.

1 (b) If an emergency administrative regulation has been withdrawn, the ordinary
2 administrative regulation that was filed with it shall not expire unless the
3 administrative body informs the regulations compiler that the ordinary
4 administrative regulation is also withdrawn.

5 (c) If an emergency administrative regulation is withdrawn, the administrative
6 body shall inform the regulations compiler of the reasons for withdrawal in
7 writing.

8 (14) The administrative regulations compiler shall notify all legislative committees of
9 the number, title, and subject matter of all emergency administrative regulations
10 and shall forward any additional information filed about the emergency
11 administrative regulation requested by a legislative committee.