

GENERAL GOVERNMENT CABINET
Kentucky Registry of Election Finance
(Amended at ARRS Committee)

32 KAR 2:020. General provisions.

RELATES TO: KRS 121.120, 121.140, 446.030

STATUTORY AUTHORITY: KRS 121.120(1)(g)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 121.120(1)(g) authorizes the Registry of Election Finance to promulgate administrative regulations necessary to carry out and enforce the campaign finance laws contained in KRS Chapter 121. This administrative regulation establishes procedures for processing possible violations of campaign finance law and establishes general provisions that shall apply throughout 32 KAR Chapter 2 governing practice and procedure.

Section 1. Definitions.

- (1) "Campaign finance law" means statutes in KRS Chapter 121 and administrative regulations in KAR Title 32.
- (2) "Complainant" means any person who files a complaint with the Registry of Election Finance alleging a violation of campaign finance law.
- (3) "Complaint" means an allegation filed with the Registry of Election Finance charging that a violation of campaign finance law has occurred or is about to occur.
- (4) "Conciliation agreement" means an agreement offered by the Registry of Election Finance to an alleged violator of campaign finance law as provided in KRS 121.140.
- (5) "Hearing officer" means the retired or former justice or judge selected by the process described in KRS 121.140(4).
- (6) "Registry" means the Registry of Election Finance.
- (7) "Respondent" means any person against whom a complaint has been filed with the Registry of Election Finance or against whom action is taken by the registry based upon information ascertained through its normal enforcement activity.

Section 2. Computation of Time.

- (1) General provision. In computing any period of time prescribed or allowed by this administrative regulation, the provisions of KRS 446.030 shall govern, except as provided in subsection (2) of this section.
- (2) Special provision for service by mail. If the registry or a person serves a document by mail, the prescribed period for the registry or any person to take the next subsequent action that is permitted or required shall include three (3) additional days.

Section 3. Enforcement Matters.

- (1) Enforcement matters may be initiated by a written complaint or on the basis of information ascertained by the registry in the normal course of the performance of its duties.
- (2) In order to avoid the possibility of prejudice, real or apparent, in derogation of the public interest in enforcement actions pending before the registry, interested persons outside the agency shall not make or cause to be made to any registry board member any communication relative to the factual or legal merits of an enforcement action, nor shall a registry board member make or entertain any communications relating to registry enforcement actions until the registry has concluded all action with respect to the enforcement matter in question.
- (3) This section shall not be construed to prohibit contact between a respondent or respondent's attorney and a registry employee in the performance of the registry's duties.

Statements made by a registry employee during these communications shall not bind or estop the registry in any way.

Section 4. Representation by Counsel; Notification. If a respondent wishes to be represented by counsel with regard to any matter pending before the registry, the respondent's counsel shall file an Entry of Appearance identifying the name, address, email address, and telephone number of the counsel and a statement signed by the respondent, identifying the subject of the representation, and authorizing the counsel to receive all notifications and other communications from the registry on the respondent's behalf.

(19 Ky.R. 1232; 1524; eff. 1-4-1993; Crt eff. 9-27-2019; 50 Ky.R. 401; 1044; eff. 1-30-2024.)

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