

CABINET FOR ECONOMIC DEVELOPMENT
(New Administrative Regulation)

307 KAR 1:006. Applications and Fee Structure for Kentucky Incentive Programs under the Kentucky Economic Development Finance Authority.

RELATES TO: KRS 154.12-100, 154.20-010, 154.20-020, 154.20-033, 154.20-190, 154.20-234, 154.20-236, 154.20-255, 154.20-256, 154.26-080, 154.30-030, 154.30-040, 154.30-050, 154.30-060, 154.31-020, 154.31-030, 154.32-020, 154.32-030, 154.34-070, 154.60-020

STATUTORY AUTHORITY: KRS 154.12-100(3), 154.20-010(9), 154.20-020(2), 154.20-033(1), 154.20-230(8), 154.20-236(3), 154.20-256(11), 154.26-080(1), 154.30-030(2)(b), 154.31-030(2), 154.32-030(2)(a), 154.34-070(2), 154.60-020(2), 154.60-030

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 154.12-100(2), 154.20-010(9), 154.20-020(2), 154.20-033(1), 154.20-236(3), 154.20-256(11), 154.26-080(1), 154.30-030(2)(b), 154.31-030(2), 154.32-030(2)(a), 154.34-070(2), and 154.60-030 authorize the Kentucky Economic Development Finance Authority to establish additional procedures and standards for the application process for the Kentucky Cabinet for Economic Development's various incentive programs. KRS 154.20-033 authorizes the Kentucky Economic Development Finance Authority to impose fees in conjunction with the application process. This administrative regulation incorporates by reference the applications for economic development incentives and establishes their fee structure.

Section 1. Application Process for the Kentucky Economic Development Fund Program. In addition to the requirements set forth in KRS 154.12-100, the applicant shall provide:

- (1) All information required by the Application for: Economic Development Fund (EDF);
- (2) A \$1,000 application fee;
- (3) Prior to approval, an administrative fee equal to one (1) percent of the final, authorized incentive amount, up to a maximum of \$20,000; and
- (4) Any legal expenses that are due for the preparation of the Kentucky Economic Development Fund Agreement and pursuant to the Application required by subsection (1) of this section.

Section 2. Application for the Kentucky Rural Hospital Loan Program. In addition to the requirements of KRS 154.20-190, the applicant shall provide:

- (1) All information required by the Application for: Kentucky Rural Hospital Loan Program;
- (2) A \$1,000 application fee;
- (3) If loan is eligible, additional legal fees for loan document preparation; and
- (4) If loan is approved, a commitment or closing fee of either one (1) percent of the total loan or \$1,000, whichever is greater, which shall be remitted on or before the closing date.

Section 3. Application Process for the Kentucky Enterprise Initiative Act Program. In addition to the requirements set forth in KRS 154.20-202, the applicant shall provide:

- (1) All information required by the Application for: Kentucky Enterprise Initiative Act (KEIA); and
- (2) A \$500 application fee, which the Kentucky Cabinet for Economic Development will waive if a project applies for another tax incentive program in conjunction with the Kentucky Enterprise Initiative Act Program.

Section 4. Application Process for the Kentucky Angel Investment Tax Credit Program. In addition to the requirements set forth in KRS 154.20-234, the applicant shall provide:

- (1) For qualified small businesses:
 - (a) All information required by the Application for the Application for: Kentucky Angel Investment Act Qualified Small Business Certification; and
 - (b) A \$100 application fee;
- (2) For qualified investors:
 - (a) All information required by the Kentucky Angel Investment Act Qualified Investment/Investor Application; and
 - (b) A \$100 application fee; or
- (3) For applicants seeking a qualified investment:
 - (a) All information required by the Kentucky Angel Investment Act Qualified Investment/Investor Application; and
 - (b) An application fee of:
 1. \$500 for applications requesting \$50,000 or less in angel investor tax credits; or
 2. \$1,500 for applications requesting angel investor tax credits greater than \$50,000.
- (4) Application fees for the Kentucky Angel Investment Tax Credit Program referenced in this section are refundable only if tax credits are unavailable.

Section 5. Application Process for the Kentucky Investment Fund Act Tax Credit Program. In addition to the requirements set forth in KRS 154.20-255, the applicant shall provide:

- (1) All information required by the Kentucky Investment Fund Act (KIFA) Application;
- (2) A \$2,000 application fee;
- (3) A one (1) time administrative fee equal to one-tenth (1/10) of one (1) percent of the total approved tax credits at the time of execution of the Kentucky Investment Fund Act Agreement and prior to its effective date;
- (4) An annual fee of one-tenth (1/10) of one (1) percent of the fund's allocated tax credits for the fiscal year; and
- (5) Any fees for legal, administrative, audit and accounting costs of both the Kentucky Economic Development Finance Authority and the Revenue Cabinet.

Section 6. Application Process for the Tax Increment Financing Program.

- (1) For applicants where a project does not have a residential use that comprises at least fifty percent (50%) of the total finished square footage of the proposed project, in addition to the requirements set forth in KRS 154.30-030, the applicant shall provide:
 - (a) All information required by the Application for: Kentucky Tax Increment Financing (TIF) Program;
 - (b) A \$5,000 application fee;
 - (c) Prior to final approval, an administrative fee equal to one-fourth (1/4) of one (1) percent of the final, authorized incentive amount, up to a maximum of \$75,000; and
 - (d) Any expert consultant, legal fees and administrative costs that are due pursuant to the Application required by subsection (1)(a) of this section.
- (2) For applicants where a project has a residential use that comprises at least fifty percent (50%) of the total finished square footage of the proposed project, under KRS 154.30-50(3)(b)4. or KRS 154.30-060(4)(h), in addition to the requirements set forth in KRS 154.30-030, the applicant shall provide:
 - (a) All information required by the Application for: Kentucky Tax Increment Financing (TIF) Program;
 - (b) A \$30,000 application fee;
 - (c) Prior to final approval, an administrative fee equal to one-fourth (1/4) of one (1) percent of the final, authorized incentive amount, up to a maximum of \$50,000; and
 - (d) Any legal fees and administrative costs that are due pursuant to the Application required by subsection (2)(a) of this section.

Section 7. Application Process for the Kentucky Business Investment Program. In addition to the requirements set forth in KRS 154.32-030, the applicant shall provide:

- (1) All information required by:
 - (a) The Application for: Kentucky Business Investment (KBI) Program, if the applicant is applying only for the Kentucky Business Investment Program; or
 - (b) The Application for: Kentucky Business Investment (KBI) Program Kentucky Enterprise Initiative Act (KEIA), if the applicant is applying for the Kentucky Business Investment Program in conjunction with the Kentucky Enterprise Initiative Act Program;
- (2) A \$1,000 application fee; and
- (3) An administrative fee equal to one-half (1/2) of one (1) percent of the incentive amount authorized in the tax incentive agreement up to a maximum of \$50,000.

Section 8. Application Process for the Kentucky Reinvestment Act Program. In addition to the requirements set forth in KRS 154.34-070, the applicant shall provide:

- (1) All information required by the Application for: Kentucky Reinvestment Act (KRA);
- (2) A \$1,000 application fee;
- (3) Prior to final approval, an administrative fee equal to one-fourth (1/4) of one (1) percent of the final Kentucky Reinvestment Act amount authorized in the Kentucky Reinvestment Act Agreement up to a maximum of \$50,000; and
- (4) Any legal fees that are due for the preparation of the Kentucky Reinvestment Act Agreement and pursuant to the Application required by subsection (1) of this section.

Section 9. Application for the Kentucky Small Business Tax Credit Program. In addition to the requirements set forth in KRS 154.60-020, the applicant shall provide:

- (1) All information required by the Application for: Kentucky Small Business Tax Credit (KSBTC); and
- (2) A \$250 application fee.

Section 10. Application for the Kentucky Selling Farmer Tax Credit Program. In addition to the requirements of KRS 154.60-040, the applicant shall provide:

- (1) If applying to the Kentucky Selling Farmer Tax Credit Program as a Seller under KRS 154.60-040:
 - (a) All information required by the Application for: Kentucky Selling Farmer Tax Credit Program Seller Certification; and
 - (b) A \$500 application fee;
- (2) If applying to the Kentucky Selling Farmer Tax Credit Program as a Beginning Farmer, all information required by the Application for: Kentucky Selling Farmer Tax Credit Program Buyer Farmer Certification; or
- (3) If applying to the Kentucky Selling Farmer Tax Credit Program as an Actively Engaged Farmer, all information required by the Application for: Kentucky Selling Farmer Tax Credit Program Buyer Farmer Certification.

Section 11. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Application for: Economic Development Fund (EDF)," 11/2025;
 - (b) "Application for: Kentucky Angel Investment Act Qualified Small Business Certification," 11/2025;
 - (c) "Application for: Kentucky Business Investment (KBI) Program," 11/2025;
 - (d) "Application for: Kentucky Business Investment (KBI) Program Kentucky Enterprise Initiative Act (KEIA)," 11/2025;
 - (e) "Application for: Kentucky Enterprise Initiative Act (KEIA)," 09/2025;
 - (f) "Application for: Kentucky Reinvestment Act (KRA)," 7/2025;
 - (g) "Application for: Kentucky Rural Hospital Loan Program," 11/2025;

- (h) "Application for: Kentucky Small Business Tax Credit (KSBTC)," 11/2025;
- (i) "Application for: Kentucky Selling Farmer Tax Credit Program Buyer Farmer Certification," 11/2025;
- (j) "Application for: Kentucky Selling Farmer Tax Credit Program Seller Certification," 11/2025;
- (k) "Application for: Kentucky Tax Increment Financing (TIF) Program," 11/2025;
- (l) "Kentucky Angel Investment Act Qualified Investment/Investor Application," 11/2025; and
- (m) "Kentucky Investment Fund Act (KIFA)" Application, 11/2025.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Cabinet for Economic Development, Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky, Monday through Friday, 8:00 a.m. to 4:30 p.m., or online at <https://newkentuckyhome.ky.gov/applications>.

COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

JEFF NOEL, Secretary

APPROVED BY AGENCY: November 14, 2025

FILED WITH LRC: November 14, 2025 at 10:50 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on January 21, 2026, at 10:00 a.m. Eastern Time at the Cabinet for Economic Development, Mayo Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through January 31, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

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