

13A.240 Regulatory impact analysis.

- (1) Every administrative body shall prepare and submit to the Legislative Research Commission an original and five (5) duplicate copies of a regulatory impact analysis for every administrative regulation when it is filed with the Commission. The regulatory impact analysis shall include the following information:
 - (a) A brief narrative summary of:
 1. What the administrative regulation does;
 2. The necessity of the administrative regulation;
 3. How the administrative regulation conforms to the content of the authorizing statutes; and
 4. How the administrative regulation currently assists or will assist in the effective administration of the statutes;
 - (b) If this is an amendment to an existing administrative regulation, a brief narrative summary of:
 1. How the amendment will change the existing administrative regulation;
 2. The necessity of the amendment to the administrative regulation;
 3. How the amendment conforms to the content of the authorizing statutes; and
 4. How the amendment to the administrative regulation will assist in the effective administration of the statutes;
 - (c) The type and number of individuals, businesses, organizations, or state and local governments affected by the administrative regulation;
 - (d) An analysis of how the entities referenced in paragraph (c) of this subsection will be impacted by either the implementation of this administrative regulation, if new, or by the change if it is an amendment to an existing administrative regulation. The analysis shall include but not be limited to:
 1. A detailed explanation of the actions the entities referenced in paragraph (c) of this subsection will be required to undertake in order to comply with the proposed administrative regulation;
 2. An estimate of the costs imposed on entities referenced in paragraph (c) of this subsection in order to comply with the proposed administrative regulation; and
 3. The benefits that may accrue to the entities referenced in paragraph (c) of this subsection as a result of compliance;
 - (e) An estimate of how much it will cost the administrative body to implement this administrative regulation, both initially and on a continuing basis;
 - (f) The source of the funding to be used for the implementation and enforcement of the administrative regulation;
 - (g) An assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation or amendment to an existing administrative regulation;

- (h) A statement as to whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees; and
 - (i) The tiering statement required by KRS 13A.210.
- (2) The Legislative Research Commission shall review all regulatory impact analyses submitted by all administrative bodies, and prepare a written analysis thereof and of the administrative regulation. The Legislative Research Commission may require any administrative body to submit background data upon which the information required by subsection (1) is based, and an explanation of how the data was gathered.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 166, sec. 1, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 100, sec. 13, effective June 20, 2005. -- Amended 2000 Ky. Acts ch. 406, sec. 14, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 410, sec. 17, effective July 15, 1994. -- Created 1984 Ky. Acts ch. 417, sec. 24, effective April 13, 1984.