

**367.469 Requirement of permit from Attorney General -- Surety bond -- Authority to promulgate administrative regulations.**

- (1) Unless covered by one (1) of the exceptions in KRS 367.461(3), and prior to using automated calling equipment to call telephone numbers in this Commonwealth, a person or company shall first obtain a permit from the Attorney General. The application for permit shall include:
  - (a) Name, address, and telephone number of the company or person utilizing the equipment;
  - (b) If the address required by paragraph (a) of this subsection is not in Kentucky, the name and address of a designated agent for the automated calling equipment operator located in Kentucky;
  - (c) A surety bond executed by the automated calling equipment operator from a surety company authorized to do business in this Commonwealth for the sum of ten thousand dollars (\$10,000), to be maintained continuously in full force and effect. The Attorney General may accept an alternate form of surety, such as a letter of credit, for an operator demonstrating financial responsibility.
- (2) The Attorney General shall promulgate administrative regulations to govern the issuance, revocation, suspension, or reissuance of permits for automated calling equipment operators utilizing equipment to call telephone numbers located in Kentucky. The Attorney General may revoke permits for any violation of KRS 367.461, 367.463, or 367.465, following an administrative hearing conducted in accordance with KRS Chapter 13B.

**Effective:** July 15, 1996

**History:** Created 1992 Ky. Acts ch. 32, sec. 5, effective July 14, 1992; and ch. 318, sec. 348, effective July 15, 1996.