

304.2-310 Administrative procedures -- Hearings.

- (1) The commissioner may hold a hearing, without request by others, for any purpose within the scope of this code.
- (2) The commissioner shall hold a hearing:
 - (a) If required by any other provision of this code; or
 - (b) Upon written application for a hearing by a person aggrieved by any act, threatened act, or failure of the commissioner to act, or by any report, administrative regulation, or order of the commissioner (other than an order for the holding of a hearing, or a final order entered after a hearing, of which hearing the person had notice). Any application for a hearing shall be filed in the department within sixty (60) days after the person knew or reasonably should have known, of the act, threatened act, failure, report, administrative regulation, or order, unless a different period is provided for by other laws applicable to the particular matter, in which case the other law shall govern.
- (3) Any application for a hearing shall briefly state the respects in which the applicant is so aggrieved, together with the grounds to be relied upon as a basis for the relief to be sought at the hearing.
- (4) If the commissioner finds that the application is made in good faith, that the applicant would be so aggrieved if his or her grounds are established, the commissioner shall hold the hearing in accordance with KRS Chapter 13B.
- (5) Pending the hearing and the issuance of the final order resulting from the hearing, the commissioner shall suspend or postpone the effective date of the previous action.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 948, effective July 15, 2010. -- Amended 1996 Ky. Acts ch. 318, sec. 227, effective July 15, 1996. -- Created 1970 Ky. Acts ch. 301, subtit. 2, sec. 31, effective June 18, 1970.