

13A.220 Compliance with KRS 13A.222 and 13A.224 required -- Filing with compiler -- Format.

All administrative regulations shall comply with the provisions of KRS 13A.222 and 13A.224.

- (1) (a) An administrative body shall file with the regulations compiler:
 1. The original and five (5) copies of an administrative regulation; and
 2. At the same time as, or prior to, filing the paper version, an electronic version of the administrative regulation and required attachments saved as a single document for each administrative regulation in an electronic format approved by the regulations compiler.
- (b) If there are differences between the paper copy and the electronic version of an administrative regulation filed with the regulations compiler, the electronic version shall be the controlling version.
- (2) The original and four (4) copies of each administrative regulation shall be stapled in the top left corner. The fifth copy of each administrative regulation shall not be stapled. The original and the five (5) copies of each administrative regulation shall be grouped together.
- (3) An amendment to an administrative regulation shall not be made on a copy of the administrative regulation reproduced from the Kentucky Administrative Regulations Service or the Administrative Register. It shall be a typed original in the format specified in subsection (4) of this section.
- (4) The format of an administrative regulation shall be as follows:
 - (a) An administrative regulation shall be typewritten on white paper, size eight and one-half (8-1/2) by eleven (11) inches and shall be double-spaced through the last line of the body of the administrative regulation. The first page shall have a two (2) inch top margin. The administrative regulation shall be typed in a twelve (12) point font approved by the regulations compiler. The lines on each page shall be numbered, with each page starting with line number one (1). Pages of an administrative regulation and documents attached to the administrative regulation shall be numbered sequentially. Page numbers shall be centered in the bottom margin of each page. Copies of the administrative regulation may be mechanically reproduced;
 - (b) The regulations compiler shall place a stamp indicating the date and time of receipt of the administrative regulation in the two (2) inch margin on the first page;
 - (c) The cabinet, department, and division of the administrative body shall be listed on separate double-spaced lines two (2) inches from the top in the upper left hand corner of the first page. This shall be followed on the next double-spaced line by "(New Administrative Regulation)," "(Amendment)," "(Amended After Comments)," "(Repealer)," "(New Emergency Administrative Regulation)," "(Emergency Amendment)," or "(Emergency Repealer)," whichever is applicable;
 - (d) The notation shall be followed by the number and title of the administrative

regulation on the next double-spaced line. The promulgating administrative body shall contact the regulations compiler prior to filing to obtain an administrative regulation number for a new administrative regulation;

- (e) On the next double-spaced line following the number and title of an administrative regulation, after the words "RELATES TO:," the administrative body shall list all statutes and other enactments, including any branch budget bills or executive orders, to which the administrative regulation relates or which shall be affected by the administrative regulation. After the words "STATUTORY AUTHORITY:" the administrative body shall list the specific statutes and other enactments, where applicable, authorizing the promulgation of the administrative regulation. Federal statutes and regulations shall be cited in the "RELATES TO:" and "STATUTORY AUTHORITY:" sections as provided by KRS 13A.222(4)(n) and (o); and
 - (f) Following the citations provided for in paragraph (e) of this subsection, and following the words "NECESSITY, FUNCTION, AND CONFORMITY:" the administrative body shall include a brief statement setting forth the necessity for promulgating the administrative regulation, a summary of the functions intended to be implemented by the administrative regulation, and, if applicable, the statement required by KRS 13A.245(2)(b).
- (5) The numbering within the body of an administrative regulation shall be the responsibility of the promulgating body, subject to the authority of the regulations compiler to divide or renumber an administrative regulation. The following format shall be used by the administrative body in the numbering of each administrative regulation. Each section shall begin with the word "Section" followed by an Arabic number, and titles of sections shall be initially capitalized. Subsections shall be designated by an Arabic number in parentheses. Paragraphs shall be designated by lower case letters of the alphabet in parentheses (e.g., (a), (b), (c), etc.). Subparagraphs shall be designated by an Arabic number followed by a period (e.g., 1., 2., etc.). Clauses shall be designated by lower case letters of the alphabet followed by a period (e.g., a., b., c., etc.). Subclauses shall be designated by lower case Roman numerals in parentheses (e.g., (i), (ii), (iii), etc.). A section shall not be divided into subsections, paragraphs, subparagraphs, clauses, or subclauses if there is only one (1) item in that level of division.
- (6) After the complete text of an administrative regulation, on the following page, the administrative body shall include the following information:
- (a) If the provisions of KRS 13A.120(3) are applicable, a statement that the official or the head of the administrative body has reviewed or approved the administrative regulation; the signature of such official or head; and the date on which such review or approval occurred;
 - (b) The authorizing signature of the administrative body promulgating the administrative regulation, and the date on which the administrative body approved the promulgation;
 - (c) Information relating to public hearings and the public comment period required by KRS 13A.270; and

- (d) The name, position, mailing address, telephone number, e-mail address, and facsimile number of the contact person of the administrative body. The contact person shall be the person authorized by the head of an administrative body to:
 - 1. Receive information relating to issues raised by the public or by a subcommittee prior to a public meeting of the subcommittee;
 - 2. Negotiate changes in language with a subcommittee in order to resolve such issues; and
 - 3. Answer questions relating to the administrative regulation.
- (7) The format for signatures required by subsection (6)(a) and (b) of this section shall be as follows:
 - (a) The signature shall be placed on a signature line; and
 - (b) The name and title of the person signing shall be typed immediately beneath the signature line.
- (8) (a) A letter of request, notification, or withdrawal required to be filed with the regulations compiler pursuant to this chapter may be filed electronically if the letter:
 - 1. Is on the administrative body's official letterhead; and
 - 2. Contains the signature of a representative of that administrative body.
- (b) Paragraph (a) of this subsection shall not apply to the letters required by KRS 13A.320(2)(b) for amendments at a subcommittee meeting.

Effective: July 15, 2016

History: Amended 2016 Ky. Acts ch. 82, sec. 14, effective July 15, 2016. -- Amended 2012 Ky. Acts ch. 138, sec. 4, effective July 12, 2012. -- Amended 2005 Ky. Acts ch. 100, sec. 6, effective June 20, 2005. -- Amended 2003 Ky. Acts ch. 89, sec. 10, effective June 24, 2003. -- Amended 2000 Ky. Acts ch. 406, sec. 8, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 38, sec. 4, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 180, sec. 8, effective July 15, 1996; and ch. 330, sec. 1, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 387, sec. 13, effective July 15, 1994; and ch. 410, sec. 12, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 516, sec. 22, effective July 15, 1990. -- Amended 1988 Ky. Acts ch. 425, sec. 7, effective July 15, 1988. -- Created 1984 Ky. Acts ch. 417, sec. 22, effective April 13, 1984.