

13A.331 Administrative regulations assigned to standing committees of the General Assembly during a legislative session.

The provisions of this section shall apply to administrative regulations that are assigned pursuant to KRS 13A.290(6)(a)2.

- (1) An administrative regulation that has not been found deficient by both standing committees shall be considered as adopted and shall become effective:
 - (a) Upon adjournment on the day the second standing committee meets to consider the administrative regulation pursuant to KRS 13A.290 if:
 1. The administrative regulation is on the agenda of the standing committee meeting;
 2. A quorum of the standing committee is present;
 3. The standing committee:
 - a. Considers the administrative regulation; or
 - b. Fails to consider the administrative regulation and fails to agree to defer its consideration of the administrative regulation; and
 4. Pursuant to KRS 13A.290(9), the decision of the standing committee to amend the administrative regulation is the same as the decision of the corresponding standing committee of the other chamber to amend the administrative regulation;
 - (b) Upon adjournment on the day the standing committee meeting jointly meets to consider the administrative regulation pursuant to KRS 13A.290 if:
 1. The administrative regulation is on the agenda of the joint standing committee meeting;
 2. A quorum of the joint standing committee is present;
 3. The joint standing committee meeting:
 - a. Considers the administrative regulation; or
 - b. Fails to consider the administrative regulation and fails to agree to defer its consideration of the administrative regulation; or
 - (c) If a standing committee fails to meet within thirty (30) days of assignment of an administrative regulation as provided in KRS 13A.290, or does not place the administrative regulation on the agenda of a meeting held within thirty (30) days of the referral of the administrative regulation to it by the Commission, at the expiration of the thirty (30) day period.
- (2) If an administrative regulation has been found deficient by both standing committees, or by the standing committees meeting jointly, the standing committees, or the standing committees meeting jointly shall transmit to the Governor:
 - (a) A copy of its finding of deficiency and other findings, recommendations, or comments it deems appropriate; and
 - (b) A request that the Governor determine whether the administrative regulation shall:

1. Be withdrawn;
 2. Be withdrawn and amended to conform to the finding of deficiency; or
 3. Become effective pursuant to the provisions of this section notwithstanding the finding of deficiency.
- (3) If an administrative regulation has been found deficient by the standing committees or by the standing committees meeting jointly, the standing committees or standing committees meeting jointly shall transmit copies of its transmittal to the Governor to the regulations compiler.
- (4) The Governor shall transmit his determination to the Commission and the regulations compiler.
- (5) An administrative regulation that has been found deficient by the Administrative Regulation Review Subcommittee, the standing committees or by the standing committees meeting jointly shall be considered as adopted and become effective after:
- (a)
 1. The standing committees of appropriate jurisdiction to which an administrative regulation was assigned pursuant to KRS 13A.290 has:
 - a. Considered the administrative regulation;
 - b. Failed to consider the administrative regulation and failed to agree to defer its consideration of the administrative regulation; or
 - c. Failed to meet within thirty (30) days of such assignment; and
 2. The regulations compiler has received the Governor's determination that the administrative regulation shall become effective pursuant to the provisions of this section notwithstanding the finding of deficiency; or
 - (b) The subcommittee, standing committees, or standing committees meeting jointly that found the administrative regulation deficient subsequently determines that the administrative regulation is not deficient, provided that this determination was made prior to receipt by the regulations compiler of the Governor's determination.

Effective: July 14, 2000

History: Created 2000 Ky. Acts ch. 406, sec. 22, effective July 14, 2000.