

311A.040 Advisory opinions.

- (1) The board may, on petition by an interested party, issue an advisory opinion relating to the applicability to any person, property, or state of facts of a statute in this chapter, administrative regulation promulgated by the board, decision, order, or other written statement of law or policy within the jurisdiction of the board.
- (2) An advisory opinion shall be binding on the board and all parties to the proceeding on the statement of facts alleged.
- (3) The board may not retroactively change an advisory opinion, but nothing in this section shall prevent the board from prospectively changing an advisory opinion.
- (4) The board shall promulgate an administrative regulation in accordance with KRS Chapter 13A on procedures for submission, consideration, reconsideration, and disposition of a petition for an advisory opinion.
- (5) An advisory opinion of the board may be appealed to the Circuit Court of the county in which the board's offices are located within thirty (30) days of the date of the advisory opinion by the board.
- (6) Each advisory opinion shall be a public record and shall be published in the manner specified by the board.
- (7) When the board supersedes, vacates, modifies, or repeals a previous advisory opinion the new opinion shall specify each previous opinion affected.

Effective: July 15, 2002

History: Created 2002 Ky. Acts ch. 211, sec. 7, effective July 15, 2002.