

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 41:040

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Subject Headings: Licensing, Occupations and Professions, Private Investigations

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the necessary application, renewal, and reactivation fees for private investigators' licenses.

(b) The necessity of this administrative regulation: This administrative regulation is necessary because the Board relies on fees to carry out its statutory mandates.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 329A.025(2)(b) expressly authorizes the board to promulgate administrative regulations establishing fees for the purposes of carrying out its statutory mandate.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation establishes fees to carry out the board's statutory mandate, which is authorized by KRS 329A.025.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment reduces the late application fee from \$250 to \$100. The amendment increases the reinstatement fee from \$100 to \$250.

(b) The necessity of the amendment to this administrative regulation: This proposed amendment is necessary to ensure that Kentucky's private investigation licensure fees conform with similar fees in neighboring states.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 319A.025 authorizes the board to promulgate administrative regulations establishing fees in order to carry out its statutory mandates. This proposed amendment adjusts those fees to conform to fees in neighboring states.

(d) How the amendment will assist in the effective administration of the statutes: This proposed amendment will help the board carry out its statutory mandates by establishing fair

licensure fees.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation will affect an unknown number of applicants for licensure as private investigators. This regulation will also affect the board.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: Licensure applicants will pay less if they submit a late application. Licensure applicants will pay slightly more if they seek to reinstate their licenses.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): Licensure applicants already had to pay certain fees. This amendment reduces the late application fee from \$250 to \$100. The amendment increases the reinstatement fee from \$100 to \$250.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): Compliance will keep Kentucky in line with private investigator licensing fees in neighboring jurisdictions.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There are no anticipated initial costs to administer this regulatory amendment.

(b) On a continuing basis: There are no anticipated continuing costs to administer this regulatory amendment.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: Any department costs of implementation will be met

with existing agency funds.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: Licensure applicants already had to pay certain fees. This amendment reduces the late application fee from \$250 to \$100. The amendment increases the reinstatement fee from \$100 to \$250.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: There are no fees increased by this amendment.

(10) TIERING: Is tiering applied? No, tiering is not applied because all licensees are impacted equally by this regulatory amendment.