

## **FOR MORE INFORMATION**

For more information on how to file an advisory opinion request, please contact the Registry at (502) 573-2226 or visit our website at [www.kref.ky.gov](http://www.kref.ky.gov)



### **BROCHURE DISCLAIMER**

*This brochure is intended as a general reference tool and in no way supersedes statutory law or administrative regulations promulgated by the Registry. The Registry recommends a complete reading of the campaign finance laws contained in KRS Chapter 121 and the rules contained in Kentucky Administrative Regulations Title 32.*

**KREF 016/AO  
REV 04/2024**

**#160  
KENTUCKY REGISTRY OF ELECTION FINANCE  
140 WALNUT STREET  
FRANKFORT, KY 40601  
RETURN SERVICE REQUESTED**



# **HOW TO REQUEST AN ADVISORY OPINION**

**Kentucky Registry of Election Finance  
140 Walnut Street / Frankfort, KY 40601  
502-573-2226 Fax: 502-573-5622  
[www.kref.ky.gov](http://www.kref.ky.gov)**

## **INTRODUCTION**

This brochure answers questions about how individuals may seek guidance from the Kentucky Registry of Election Finance (“Registry”) by requesting advisory opinions. An advisory opinion is an official Registry response to a question relating to the application of the campaign finance laws under KRS Chapter 121.

### **Who may request an advisory opinion?**

Any person may request an advisory opinion from the Registry concerning the application of campaign finance laws to a specific transaction or activity by that individual.

### **Must an advisory opinion request follow a certain format?**

Yes. Advisory opinion requests must be in writing and must clearly identify the person(s) involved in the specific activity. General questions of interpretation or questions posing a hypothetical situation or regarding actions by a third party will not be considered for an advisory opinion. Advisory opinion requests should be addressed to the Office of the General Counsel, Kentucky Registry of Election Finance, 140 Walnut Street, Frankfort, KY 40601. You may also email your request to [KREFRequests@ky.gov](mailto:KREFRequests@ky.gov).

### **Is there a statutory deadline for issuing an advisory opinion?**

Yes. The Registry is required to issue an advisory opinion within thirty (30) days of receipt of the request. If a candidate, slate of candidates, or either of their campaign committees request an opinion not more than thirty (30) days before an election in which they are to appear on the ballot, the advisory opinion must be issued within twenty (20) days after the Registry receives the request. KRS 121.135(2).

### **Who may rely on guidance provided by an advisory opinion?**

An advisory opinion issued by the Registry is binding only as to the person involved in the specific transaction or activity with respect to which the advisory opinion is rendered. If a person or committee to whom an advisory opinion has been issued acts in good faith in accordance with the terms of the advisory opinion, it shall be a defense against any sanction provided by law or administrative regulation.

It shall be no defense in any civil or criminal proceeding for a person to rely on an advisory opinion if he or she was not the party involved in the specific transaction or activity with respect to which the advisory opinion was rendered. KRS 121.135; 32 KAR 2:060.

### **Once issued, are advisory opinions made available to the public?**

Yes. A searchable version of advisory opinions is available on the Registry’s website at [www.kref.ky.gov](http://www.kref.ky.gov). Advisory opinions are listed by topic and by year. Advisory opinions may also be ordered by writing to the Kentucky Registry of Election Finance, 140 Walnut Street, Frankfort, KY 40601, or by phone at (502) 573-2226.

### **Is that the only time the public is involved in this process?**

No! The Registry actually posts all received valid advisory opinion requests at [www.kref.ky.gov](http://www.kref.ky.gov) for public comment prior to considering the answer to the request. Information on how to make a written comment can be found on the website.