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August 27, 2021

Mr. Carl Malamud
Public.Resource.Org
PO Box 800
Healdsburg, CA 95448

Via Email To: carl@media.org

Re: Records Request

Dear Mr. Malamud,

We received a records request from you in which you request the following:

- [C]opies of the Kentucky Administrative Regulations and the Kentucky Revised Statutes in the electronic source format in which it is maintained.

Although you begin your request by stating it “is submitted under the Kentucky Open Records Act, KRS 61.870 *et seq.*,” please note that requests to inspect records within the custody of the Legislative Research Commission or the General Assembly are governed by KRS 7.119, as supplemented as to the requested records by KRS 7.500.

Specifically, both forms of records are made available to the public under KRS 7.500, which provides that the LRC make the records “available to the public by means of access by way of the largest nonproprietary, nonprofit cooperative public computer network . . . in one (1) or more formats” *See* KRS 7.500(2). The LRC meets the statutory requirement in KRS 7.500 by making the Kentucky Administrative Regulations and the Kentucky Revised Statutes available to the general public in this Commonwealth, as well as the world, on the General Assembly’s webpages, which are on the “public computer network” – i.e. the internet – and accessible at <https://legislature.ky.gov/Law/kar/Pages/default.aspx>, as to the Kentucky Administrative Regulations, and <https://legislature.ky.gov/Law/Statutes/Pages/default.aspx>, as to the Kentucky Revised Statutes.

While your request makes numerous references to “the Open Records Law” and Kentucky court opinions construing those statutory sections, those sections and opinions are not applicable because “the information made available to the public under [KRS 7.500] shall not be subject to the provisions of KRS 61.870 to 61.884[,]” KRS 7.500(6), and because the General Assembly specifically excluded the applicability of those statutes from the statutory section governing legislative branch records, KRS 7.119, during the 2021 Regular Session. *See* 21RS HB 312, 2021 Ky. Acts. Chapter 160, sec. 6.

Thank you for your request. Please let me know if you have any questions or concerns.

Sincerely,

s/Greg Woosley

Greg Woosley
General Counsel