

**367.807 Exemptions from registration -- Authority for administrative regulations.**

- (1) An offeror is exempt from the provisions of KRS 367.801 to 367.819 and KRS 367.990 when the offeror:
  - (a) Meets the definition of a franchise as defined in the Federal Trade Commission's Regulation on Disclosure Requirements and Prohibitions Concerning Franchising and Business Opportunity Ventures, as set forth in 16 C.F.R. 436 et seq., and has complied with these and filed written notice so stating with the division; or
  - (b) Offers a security pursuant to KRS 292.313;
  - (c) Offers an ongoing business for sale; or
  - (d) Offers a not-for-profit sale of sales demonstration equipment, materials, or samples for use in making sales and not for resale for a total price of \$500 or less.
- (2) The Attorney General may promulgate administrative regulations as needed to provide for additional exemptions. Is offering to sell or selling a package franchise as described in KRS 367.801(7).

**Effective:** July 15, 1994

**History:** Amended 1994 Ky. Acts ch. 329, sec. 3, effective July 15, 1994. -- Created 1978 Ky. Acts ch. 315, sec. 4, effective June 17, 1978.

**Legislative Research Commission Note (7/15/94).** It appears from 1994 Ky. Acts ch. 329, sec. 3 that the phrase "Is offering to sell or selling a package franchise as described in KRS 367.801(7)." was intended to be removed from subsection (2) of this statute. Because this text was not bracketed and stricken through, however, it has not been deleted. See KRS 446.145(1) and 446.280.