

329.110 Record of proceedings -- Service of secretary's report -- Motion for rehearing.

- (1) The cabinet, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case involving the denial, suspension or revocation of a license. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the secretary and orders of the cabinet shall be the records of such proceedings. The cabinet shall furnish a transcript of such record to any person interested in such hearing upon the payment therefor of seventy-five cents (\$0.75) per page for each original transcript and twenty-five cents (\$0.25) per page for each carbon copy thereof ordered with the original; provided, however, the charge for any part of such transcript ordered and paid for previous to the writing of the original record therefor shall be twenty-five cents (\$0.25) per page.
- (2) In any case involving the denial, suspension or revocation of a license, a copy of the secretary's report shall be served upon the respondent by the cabinet, either personally or by certified mail as provided in KRS 329.100 for the service of the notice of hearing. Within twenty (20) days after such service, the respondent may present to the cabinet a motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial, the secretary may enter an order in accordance with recommendations of the cabinet. If the respondent shall order and pay for a transcript of the record within the time for filing a motion for rehearing, the twenty (20) day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

Effective: July 15, 1980

History: Amended 1980 Ky. Acts ch. 114, sec. 90, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 74, Art. V, sec. 24(13). -- Created 1962 Ky. Acts ch. 78, sec. 12.