

Frequently Asked Questions about Statements of Financial Disclosure

1. Who must file a Statement of Financial Disclosure?

The Constitutional Officers and “officers” as defined by KRS 11A.040(7) in the following positions:

- “MAJOR MANAGEMENT” PERSONNEL: See Advisory Opinion 17-05.
- PVAs: Property Valuation Administrators as determined by *EBEC v. Atkinson*, Ky. App., 339 S.W.3d 472 (2010).
- SPECIFICALLY NAMED POSITIONS:
 - Cabinet Secretaries and Deputy Secretaries
 - General Counsels
 - Commissioners and Deputy Commissioners
 - Executive Directors
 - Executive Assistants
 - Policy Advisors
 - Special Assistants
 - Administrative Coordinators
 - Executive Advisors
 - Staff Assistants
 - Division Directors
- CONTRACT EMPLOYEES: Anyone holding a position by contract that would be considered a full-time position for any of the above positions is also considered an “officer.”
- CERTAIN MEMBERS OF BOARDS AND COMMISSIONS: Members of the following are considered to be officers:
 - Parole Board
 - Board of Tax Appeals
 - Board of Claims
 - Kentucky Retirement Systems Board of Directors
 - Kentucky Teachers’ Retirement System Board of Trustees
 - Public Service Commission
 - Worker’s Compensation Board and its administrative law judges
 - Kentucky Occupational Safety and Health Review Commission
 - Kentucky Board of Education
 - Council on Postsecondary Education, and
 - members of salaried boards and commissions. See KRS 11A.010(21)

2. What are the different types of Statements of Financial Disclosure?

Every Officer must file a Statement of Financial Disclosure (SFD). There are three times an officer must file an SFD:

NEW HIRES: After June 27, 2019, all newly hired, appointed, or detailed public servants serving in an officer position shall file an SFD within 30 days of their start date. “Start date” means the first date of employment with a state agency in an officer position. See 9 KAR 1:010E, Section 1. New hires complete the questions with information that applies from the first day of employment with the state until the date of signing the form. **NOTE:** The Officer

will complete Question 4 as “NEW HIRE” and completes the title of new position and start date, skips Question 5, and answers Question 6a with the current agency.

CURRENT OFFICERS FILING ANNUALLY: Officers file annually between January 1 and April 15. Officers will complete the questions with information that applies for the entire previous calendar year during which he or she served in an officer position. (For example, the 2019 SFD form is due by April 15, 2020). **NOTE:** The Officer will complete Question 4 as “NOT A NEW HIRE,” answer Question 5 with current position and all officer positions held during the year, and answer Question 6a with the current agency.

LEAVING STATE SERVICE: An Officer shall file the final SFD form for the portion of the calendar year that the officer served within 30 days of termination from state service. **NOTE:** The Officer will complete Question 4 as “NOT A NEW HIRE,” answer Question 5 with final position and all officer positions held during the year, and answer Question 6a with the previous agency.

3. What if I was newly appointed or hired to be an “officer” prior to June 27, 2019, and remained in the same position until the end of 2019?

ONE SFD FORM: If you were hired or appointed as an officer prior to June 27, 2019, continued in the same position for the remainder of the 2019 calendar year, and have not left state service as an officer, then you will ONLY file one “Annual” 2019 SFD, which must be filed after Jan. 1 2020, but before April 15, 2020.

NOTE: Answer Question 4 as “NOT A NEW HIRE.” Answer Question 5 and answer Question 6 with your current agency’s information.

4. What if I was newly appointed or hired to be an “officer” prior to June 27, 2019, served through the remainder of 2019, and left state service in 2020?

TWO SFD FORMS: If you were hired or appointed as an officer prior to June 27, 2019, and continued in the same position for the remainder of the 2019 calendar year, but left state service as an officer in 2020, then you will file two SFDs within thirty days of leaving state service:

1. 2019 “Annual” SFD: You will complete this form to cover the time in which you worked as an officer during 2019. **NOTE:** Answer Question 4 as NOT A NEW HIRE, Answer Question 5, and be sure to answer Question 6a with your most recent agency’s information.

2. 2020 “Annual” SFD: You will complete this form to cover the time in which you worked as an officer during 2020. NOTE: Answer Question 4 as NOT A NEW HIRE, Answer Question 5, and be sure to answer Question 6a with your most recent agency’s information.

5. What if I was newly appointed or hired to be an “officer” prior to June 27, 2019, and have transferred to another officer position?

ONE SFD FORM: If you were hired or appointed as an officer prior to June 27, 2019, and transferred to another officer position at any time during the remainder of the 2019 calendar year, without a break in service of greater than seven (7) days, and remain in state service as an officer, then you will ONLY file one 2019 “Annual” SFD, which must be filed after Jan. 1 2020, and before April 15, 2020, and will file as if the less-than-seven-(7)-day break in service did not occur.

NOTE: Answer Question 4 as “NOT A NEW HIRE,” answer Question 5 with your current position and add the previous position, answer Question 6a with your current agency.

6. What if I served as an “officer” prior to June 27, 2019, and have now left state service or am now in a non-officer position?

ONE SFD FORM: If you were employed during 2019 as an officer, but transferred to a non-officer position or left state service all together, then you must complete the “Leaver” SFD form within 30 days of leaving state service or taking a non-officer position. The SFD will cover the period in which you worked as an officer during the calendar year of 2019.

NOTE: Answer Question 4 as “NOT A NEW HIRE.” Indicate in Question 5 that you do not still occupy this position and provide an end date. Answer Question 6a with your most recent agency’s information in which you served as an officer.

7. What if I was newly appointed or hired to be an “officer” after June 27, 2019, and remain in that position?

TWO SFD FORMS: If you were hired or appointed to an officer position for the first time after June 27, 2019, and served for the remainder of 2019 in that position, and presently remain in state service as an officer, then you will complete two 2019 SFDs:

1. The first form is considered the “New Hire” SFD. It must be submitted within 30 days of your start date as an officer and will cover the time from start date until you submit the form, which is the first 30 days in service. NOTE: Answer Question 4 as “NEW HIRE” and enter your title and start date, skip question 5, and answer Question 6a with your current agency’s information.
2. The second form is considered the “Annual” SFD. You will complete this form after January 1, 2020, but by April 15, 2020, to cover the time in which you worked during the remaining part of 2019 as an officer. NOTE: Answer Question 4 as NOT A NEW HIRE, Answer Question 5, and be sure to answer Question 6a with your current agency’s information.

8. What if I was newly appointed or hired to be an “officer” after June 27, 2019, but was transferred to another officer position without a break in service?

TWO SFD FORMS: If you held an officer position after June 27, 2019, and continued to serve up until December 2019, but were appointed to another officer position prior to the end of 2019 without a break in service (a time frame longer than 7 days), then you will complete two 2019 SFDs:

1. The first form is considered the “New Hire” SFD. It must be submitted within 30 days of your start date as an officer and will cover the time from start date until you submit the form, which is the first 30 days in service. NOTE: Answer Question 4 as “NEW HIRE,” skip question 5, and be sure to answer Question 6a with your current agency’s information.
2. The second form is considered the “Annual” SFD. You will complete this form after January 1, 2020, but by April 15, 2020, to cover the time in which you worked during the remaining part of 2019. NOTE: Answer Question 4 as NOT A NEW HIRE, Answer Question 5 listing all of your officer positions, be sure to answer Question 6a with your current agency’s information.

9. What if I was newly appointed or hired to be an “officer” after June 27, 2019, but was transferred to another “officer” position with a break in service of more than seven days?

THREE SFD FORMS: Same facts as listed above, except the break in service is longer than 7 days, then you will complete three (3) 2019 SFD documents:

1. The first form is considered the “Leaver” SFD. You will complete this form within 30 days of leaving state service to cover the time you worked during 2019 up until the break in service. NOTE: Answer Question 4 as “NOT A NEW HIRE,” answer Question 5, and be sure to answer Question 6a with the agency’s information for which you worked at the time of leaving.
2. The second form is considered the “New Hire” SFD. It must be submitted within 30 days of your start date in the second officer position and will cover the time from start date until you submit the form, which is the first 30 days in service. NOTE: Answer Question 4 as “NEW HIRE,” skip question 5, and be sure to answer Question 6a with your new agency’s information.
3. The third form is considered the “Annual” SFD. You will complete this form after January 1, 2020, but by April 15, 2020, to cover the remainder of the time in which you worked during the remaining part of 2019. NOTE: Answer Question 4 as NOT A NEW HIRE, Answer Question 5 listing all of your officer positions, be sure to answer Question 6a with your current agency’s information.

NOTE: We understand that depending on the time frame, you may be submitting identical forms except for your answers to Questions 4, 5, and 6. We will still need all three forms by statute.

10. What if I was newly appointed or hired to be an “officer” after June 27, 2019, but left state service prior to the end of 2019?

TWO SFD FORMS: If you were hired or appointed to an “officer” position for the first time after June 27, 2019, and served for the remainder of 2019 in that position, but left state service prior to the end of 2019, then you will complete two 2019 SFDS:

1. The first form is considered the “New Hire” SFD. It must be filed within 30 days of your start date as an officer and will cover the time from start date until you submit the form, which is the first 30 days in service. NOTE: Answer Question 4 as “NEW HIRE,” skip question 5, and Question 6a must be answered with your then current agency’s information.
2. The second form is considered the “Leaver” SFD. You will complete this form within 30 days of leaving state service to cover the time you worked during 2019. NOTE: Answer Question 4 as “NOT A NEW HIRE,” answer Question 5, and be sure to answer Question 6a with the agency’s information for which you worked at the time of leaving.

NOTE: We understand that depending on the time frame, you may be submitting identical forms except for your answers to Questions 4 and 5. We will still need all three forms by statute.

11. What if I was newly appointed or hired to be an “officer” after June 27, 2019, served the remainder of 2019, but left state service after January 1, 2020?

THREE SFD FORMS: If you were hired or appointed to an “officer” position for the first time after June 27, 2019, and served for the remainder of 2019 in that position, but left state service after January 1, 2020, then you will complete three forms -- two 2019 SFDs and one 2020 SFD:

1. The first form is considered to be the “New Hire” SFD. It must be filed within 30 days of your start date as an officer and will cover the time from start date until you submit the form, which is the first 30 days in service. NOTE: Answer Question 4 as “NEW HIRE,” skip question 5, and Question 6a must be answered with your then current agency’s information.
2. The second form is considered the “Annual” SFD. You will complete this form after January 1, 2020, but by April 15, 2020, to cover the remainder of the time in which you worked during the remaining part of 2019. **However**, you must complete the form within 30 days of leaving state service if you left state service prior to April 15, 2020. NOTE: Answer Question 4 as NOT A NEW HIRE, Answer Question 5 listing all of your officer positions, be sure to answer Question 6a with your agency’s information for which your worked at the end of 2019.
3. The third form is considered the “Leaver” SFD. You will complete this form within 30 days of leaving state service to cover the period you worked during 2020. NOTE: Answer Question 4 as NOT A NEW HIRE, Answer Question 5 listing all of your officer positions, be sure to answer Question 6a with your last agency’s information.

NOTE: We understand that depending on the time frame, you may be submitting identical forms except for your answers to Questions 4 and 5. We will still need all three forms by statute.

12. What if I was newly appointed or hired to be an “officer” after January 1, 2020, and still serve in this position?

ONE SFD FORM: If you were hired on or after January 1, 2020, to an officer position, then you need to complete the “New Hire” SFD within 30 days of your start date as an officer for 2020. You will complete the “Annual” 2020 SFD between January 1, 2021, and April 15, 2021, covering the entire 2020 calendar year, unless you leave state service before the end of 2020. If so, then you would complete your final SFD as a “Leaver” form within thirty days of leaving state service.