

FILED WITH LRC  
TIME: 1:04pm

FEB 24 2026

Ange Darnell

REGULATIONS COMPILER

1 OFFICE OF ATTORNEY GENERAL

2 Kentucky Office of Regulatory Relief

3 (Amendment)

4 40 KAR 12:500. Going out of business, fire, removal and other KRS 365.415 sales~~[Application~~  
5 ~~for conducting more than two (2) going out of business sales in four (4) years form]~~.

6 RELATES TO: KRS 365.415, 365.420~~[365.447]~~

7 STATUTORY AUTHORITY: KRS 15.180, 367.150(4), 365.420(7)~~[365.447]~~

8 CERTIFICATION STATEMENT: This is to certify that this administrative regulation amendment  
9 complies with the requirements of 2025 RS HB 6, Section 8.

10 NECESSITY, FUNCTION, AND CONFORMITY: KRS 15.180 authorizes the Attorney General  
11 to promulgate administrative regulations that will facilitate performing the duties and exercising  
12 the authority vested in the Attorney General and the Department of Law. KRS 367.150(4) requires  
13 the Department of Law to recommend administrative regulations in the consumers' interest. KRS  
14 365.415 and 365.420 require sellers conducting going out of business, fire, removal and other KRS  
15 365.415 sales to submit license applications and bonds with the county clerk where the sales occur.  
16 KRS 365.420(7) requires the Attorney General to promulgate an administrative regulation to  
17 establish a license application form containing an inventory itemization relating to going out of  
18 business, fire, removal and other KRS 365.415 sales. KRS 365.420(8) requires applicants to  
19 submit surety bonds to county clerks with an application. This administrative regulation prescribes  
20 the license application and bond forms to be used by persons conducting going out of business,  
21 fire, removal, and other KRS 365.415 sales.~~[To fulfill To fulfill the requirement for an application~~

1 form to conduct more than two ~~(2)~~ going out of business sales in a four (4) year period identified  
2 in KRS 365.447].

3 Section 1. License Application for Going out of Business, Fire, Removal or Other KRS 365.415  
4 Sale[Excess Permits Form]. (1) A seller shall not conduct a going out of business, fire, removal,  
5 or other KRS 365.415 sale unless the county clerk of the county where a proposed sale is located  
6 approves a seller's license application in accordance with this administrative regulation. An  
7 applicant shall complete and submit a Going out of Business, Fire, Removal, or Other Sale license  
8 application, Form GOB-1, to the county clerk, and submit a completed Going out of Business,  
9 Fire, Removal or Other KRS 365.415 Sale Surety Bond, Form GOB-2, or other surety bond  
10 satisfactory to the county clerk.[The Application for Excess Permits Form GOB-2" required by  
11 KRS 365.447 shall contain the following information:

12 (1) The title of the county clerk;

13 (2) The number of going out of business permits acquired by the applicant during past four (4)  
14 years;

15 (3) For each of the previous sales, the applicant shall provide the name of the store involved, the  
16 name(s) of the owner(s), and the date and address of the sale;

17 (4) The name and address of the owner(s) of the goods to be sold. If the owner is a partnership,  
18 corporation, firm, or association, list all partners and officers;

19 (5) The address of the principal office of the applicant in Kentucky;

20 (6) The date and place of incorporation or organization of the business;

21 (7) Whether the controlling interest in the firm or business has been transferred within the twelve  
22 (12) months prior to the filing of the application. If the answer is yes, then specify the parties to  
23 the transfer and the date of the transfer;

- 1     ~~(8) The name and style in which the sale is to be conducted;~~
- 2     ~~(9) The address of the premises where the sale will be conducted;~~
- 3     ~~(10) The date the sale is to begin and the projected duration of the sale;~~
- 4     ~~(11) The name and address of the person who will be in charge and responsible for the conduct~~  
5     ~~of the sale;~~
- 6     ~~(12) Nature of the occupancy (lease, etc.) of the premises where the sale is to be held, and the~~  
7     ~~effective date of the termination of the occupancy;~~
- 8     ~~(13) The condition or necessity which is the occasion of the sale;~~
- 9     ~~(14) An explanation of the condition or necessity for the previous sales, and the legitimate~~  
10    ~~business reason for obtaining the excess permits;~~
- 11    ~~(15) The name of the sale, and the reason why the name is truthfully descriptive of the sale;~~
- 12    ~~(16) The location to which the business will be relocated if the sale is a removal sale;~~
- 13    ~~(17) The time, location, and cause of damage to the goods if the license is to conduct a fire sale;~~
- 14    ~~(18) Whether the sale involves foods or drugs damaged by fire or other casualty. If it does, proof~~  
15    ~~of approval by the Department for Human Resources must be provided before the application~~  
16    ~~may be accepted;~~
- 17    ~~(19) The total value of the inventory at cost, with inventory pages from Form GOB-1 attached;~~
- 18    ~~(20) The total value of the inventory at retail from the attached GOB-1 inventory pages;~~
- 19    ~~(21) A sworn and notarized statement from the authorized individual filing the application;~~
- 20    ~~(22) A notice that the applicant will be charged the actual costs of the Attorney General's~~  
21    ~~investigation. The minimum charge will be twenty five (25) dollars, and the maximum charge~~  
22    ~~will be \$250.]~~

23    Section 2. Incorporation by Reference. (1) The following material is incorporated by reference:

1       (a) “Going Out of Business, Fire, and Removal Sale License Application”, Form GOB-1,  
2 Feb. 2026; and

3       (b) “Going Out of Business, Fire, and Removal Sale Surety Bond”, Form GOB-2, Feb.  
4 2026.[The “Application for Conducting More Than Two (2) Going-out-of-business Sales in Four  
5 (4) Years Form GOB-2” is incorporated by reference.]

6       (2) This material may be inspected, copied, or obtained, subject to applicable copyright  
7 law,[Copies of the “Application For Conducting More Than Two (2) Going-out-of-business Sales  
8 In Four (4) Years Form GOB-2” may be inspected, copied, or obtained] at the Office of the  
9 Attorney General, Capital Complex East[Consumer Protection Division], 1024 Capital Drive,  
10 Frankfort, Kentucky 40601[40602], Monday through Friday, between the hours of 8:00[30] a.m.  
11 and 4:30 p.m.[, ~~Monday through Friday~~]. This material is also available on the Office’s website,  
12 <https://ag.ky.gov/Pages/default.aspx>.

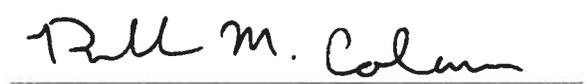
READ AND APPROVED



Stephen B. Humphress, Executive Director  
Kentucky Office of Regulatory Relief  
Office of Attorney General

February 20, 2026

Date



Russell Coleman, Attorney General  
Department of Law

February 20, 2026

Date

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on May 21, 2026, at 11:00 a.m. Eastern Time at the Office of Administrative Hearings, Conference Room B, 105 Sea Hero Road, Suite 2, Conference Room B, Frankfort, KY 40601. Frankfort, KY 40601. Individuals interested in being heard at this hearing shall notify this Office in writing at least five (5) working days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 p.m. on May 31, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:** Stephen B. Humphress, Executive Director, Kentucky Office of Regulatory Relief, Kentucky Office of Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601, phone: 502-696-5481 fax: (502) 573-8317, email: [steve.humphress@ky.gov](mailto:steve.humphress@ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation #: 40 KAR 12:500

Contact Person: Stephen B. Humphress

Phone Number: 502-696-5481

Email: steve.humphress@ky.gov

Subject Headings: Attorney General; County Clerks; Occupations and Professions; and Bonds

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the license application form and surety bond form to be used by persons conducting going out of business, fire, removal, and other KRS 365.415 sales for submission to county clerks who issue the licenses.

(b) The necessity of this administrative regulation: This regulation is necessary since it allows the Office of Attorney General (“Attorney General”), to perform its statutory mandates.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 15.180 directs the Attorney General to promulgate administrative regulations that will facilitate the performance of duties vested in the Attorney General and the Department of Law. KRS 367.150(4) requires the Department of Law to study the operation of all laws, rules, administrative regulations, orders, and state policies affecting consumers and to recommend administrative regulations in the consumers' interest. KRS 365.420(7) requires the Attorney General to promulgate administrative regulations to establish a license application containing inventory lists for persons conducting going out of business, fire, removal, and other KRS 365.415 sales for submission to county clerks who issue the licenses.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation establishes the license application form and bond form to be used by persons conducting going out of business, fire, removal, and other KRS 365.415 sales for submission to county clerks who issue the licenses.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment makes changes to comply with KRS Chapter 13A drafting requirements. The amendment updates an incorporated form that it is easier for regulated businesses to complete. The amendment removes unnecessary language from the regulation as duplicative and already incorporated by reference in the updated form. This regulation and companion amendment to 40 KAR 12:400 combine three (3) regulations into two (2) regulations to reduce the regulatory burden on regulated entities. These companion amendments eliminate the need for 40 KAR 2:200, which is being repealed.

- (b) The necessity of the amendment to this administrative regulation: The necessity of the amendment to this administrative regulation: The Attorney General needs to update the regulation to conform to KRS Chapter 13A drafting requirements. The Attorney General needs to update its regulation and forms to make both more easily understood by regulated entities, county clerks and consumers.
- (c) How the amendment conforms to the content of the authorizing statutes: As previously explained, KRS 15.180, KRS 367.150(4) and KRS 365.420(7) authorize the administrative regulation amendments.
- (d) How the amendment will assist in the effective administration of the statutes: It is intended that the regulation amendment will cause the regulation to be more easily understood and the updated form to be more easily completed by regulated entities and county clerks.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation amendment affects an unknown number of KRS 365.415 sales license applicants each year and one hundred and twenty (120) county court clerks.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: License applicants will be required to use the new forms incorporated into this regulation. County clerks will be required to review and process the new forms.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): License applicants will bear no additional cost as they will be able download the new forms from the Attorney General's website at no cost. County clerks will incur no additional costs from reviewing and processing the new application and bond forms.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): The regulation amendment is intended to make the regulation more easily understood by regulated entities and county clerks. The regulation amendment is also intended to make the updated form to be more easily completed by regulated entities and county clerks.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There are no costs to implement this administrative regulation amendment.

(b) On a continuing basis: There are no continuing costs to implement this administrative regulation amendment.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: There are no additional costs associated with implementing this administrative regulation amendment.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change, if it is an amendment: There is no anticipated increase in fees or funding necessary to amend this administrative regulation.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increased any fees: This administrative regulation amendment does not directly or indirectly increase any fees.

(10) TIERING: Is tiering applied? [Explain why or why not] No. This regulation treats all applicants for going out of business, fire, removal, and other KRS 365.415 sales licenses from county clerks equally.

## FISCAL IMPACT STATEMENT

Administrative Regulation #: 40 KAR 12:500

Contact Person: Stephen B. Humphress

Phone Number: 502-696-5481

Email: [steve.humphress@ky.gov](mailto:steve.humphress@ky.gov)

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 15.180, 367.150(4), and 365.420.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: This administrative regulation is expressly authorized by 1960 Ky. Acts ch. 68, Art. II, sec. 1; 1972 Ky. Acts ch. 4, sec. 4; and 1966 Ky. Acts ch. 60, sec. 3.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: The Office of Attorney General, Kentucky Office of Regulatory Relief (“Attorney General”) is the promulgating agency. The administrative regulation amendment does not affect any other state agencies.

(b) Estimate the following for each affected state unit, part, or division in (3)(a):

1. Expenditures:

For the first year: There are no expenditures to administer this administrative regulation amendment for the first year.

For subsequent years: There will be no expenditures to administer the administrative regulation amendment in subsequent years.

2. Revenues:

For the first year: This administrative regulation amendment will generate no revenues to the Attorney General for the first year.

For subsequent years: This administrative regulation amendment will generate no revenues to the Attorney General in subsequent years.

3. Cost Savings:

For the first year: The administrative regulation amendment will result in no cost saving to the Attorney General for the first year.

For subsequent years: The administrative regulation amendment will result in no cost savings to the Attorney General in subsequent years.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): The administrative regulation amendment will affect all county clerks. The administrative regulation amendment does not affect any other local entities.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: This administrative regulation amendment will not cause expenditures by county clerks for the first year.

For subsequent years: This administrative regulation amendment will not cause expenditures by county clerks in subsequent years.

2. Revenues:

For the first year: County clerks will receive no revenues from this administrative regulation amendment for the first year.

For subsequent years: County clerks will receive no revenues from this administrative regulation amendment in subsequent years.

3. Cost Savings:

For the first year: It is intended that this administrative regulation amendment will cause county clerks to receive cost savings from efficient and quicker processing of the updated license application and bond forms, which are difficult to estimate at this time, but estimated to be de minimis, for the first year.

For subsequent years: It is intended that this administrative regulation amendment will cause county clerks to receive cost savings from efficient and quicker processing of the updated license application and bond forms, which are difficult to estimate at this time, but estimated to be de minimis, in subsequent years.

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): Applicants seeking a going out of business sale or other KRS 365.415 licenses from county clerks will be affected by this administrative regulation amendment.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year: This administrative regulation amendment will not cause applicants to have any additional expenditures for the first year.

For subsequent years: This administrative regulation amendment will not cause applicants to have any additional expenditures in subsequent years.

2. Revenues:

For the first year: Applicants will not receive any revenues directly from this administrative regulation amendment for the first year.

For subsequent years: Applicants will not receive any revenues directly from this administrative regulation amendment in subsequent years.

3. Cost Savings:

For the first year: It is intended that this administrative regulation amendment will cause applicants to receive cost savings from quicker processing of the updated license application and bond forms, which are difficult to estimate at this time, but estimated to be de minimis, for the first year.

For subsequent years: It is intended that this administrative regulation amendment will cause applicants to receive cost savings from quicker processing of the updated license application and bond forms, which are difficult to estimate at this time, but estimated to be de minimis, in subsequent years.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation amendment: This administrative regulation amendment will have no fiscal impact. The amendment merely updates the application and bond forms used by applicants seeking going out of business sale or other KRS 365.415 sale licenses from county clerks. The amendment does not affect any other governmental agencies or local governments. The amendment does not increase any fees. For these reasons, the amendment is not expected to have any significant fiscal impact.

(b) Methodology and resources used to reach this conclusion: The Attorney General used a quantitative methodology analysis based on history of administrative agencies which license or register businesses in a specific subject area and the resulting facts from this regulation. The Attorney General used staff resources in determining the fiscal impact.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation amendment will have a “major economic impact”, as defined by KRS 13A.010(13): There is not an expected “major economic impact” from this administrative regulation amendment for the Attorney General, any local government entities, or affected regulated entities.

(b) The methodology and resources used to reach this conclusion: The Attorney General used a quantitative methodology analysis based on history of administrative agencies which license or register businesses in a specific subject area and resulting facts from this regulation. The Attorney General used staff resources in reaching the conclusion that no overall negative or adverse major economic impact results from this administrative regulation amendment.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

Administrative Regulation #: 40 KAR 12:500

Contact Person: Stephen B. Humphress

Phone Number: 502-696-5481

Email: [steve.humphress@ky.gov](mailto:steve.humphress@ky.gov)

1. “Going Out of Business, Fire, and Removal Sale License Application”, Form GOB-1, Feb. 2026. Applicants seeking going out of business, fire, removal, and other KRS 365.415 sales licenses from county clerks will use this application form. The form consists of two (2) pages. Attached as Appendix I.

2. “Going Out of Business, Fire, and Removal Sale Surety Bond”, Form GOB-2, Feb. 2026. This bond form may be used by Applicants seeking going out of business, fire, removal, and other KRS 365.415 sales licenses from county clerks. The form consists of two (2) pages. Attached as Appendix II.

SENATE MEMBERS

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**David Givens**  
President Pro Tempore  
**Max Wise**  
Majority Floor Leader  
**Gerald A. Neal**  
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Majority Caucus Chair  
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**Mike Wilson**  
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**Cassie Chambers Armstrong**  
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**LEGISLATIVE RESEARCH COMMISSION**

State Capitol 700 Capital Avenue Frankfort KY 40601

502-564-8100

Capitol Fax 502-564-2922

Annex Fax 502-564-6543

legislature.ky.gov

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Director

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**Al Gentry**  
Minority Caucus Chair  
**Jason Nemes**  
Majority Whip  
**Joshua Watkins**  
Minority Whip

**MEMORANDUM**

TO: Stephen B. Humphress, Executive Director, Office of Regulatory Relief

FROM: Ange Darnell, Regulations Compiler

RE: Proposed Amendments to Regulations – 040 KAR 012:400, 040 KAR 012:500, 040 KAR 012:510, 040 KAR 012:600, and 040 KAR 012:610.

DATE: February 24, 2026

A copy of each administrative regulation listed above is enclosed for your files. These regulations are tentatively scheduled for review by the Administrative Regulation Review Subcommittee at its **JUNE 2026** meeting. We will notify you of the date and time of this meeting once it has been scheduled.

Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration or a one-month extension request for these regulations is due **by noon on June 15, 2026**. Please reference KRS 13A.270 and 13A.280 for other requirements relating to the public hearing and public comment period and Statements of Consideration.

If you have questions, please contact us at [RegsCompiler@LRC.ky.gov](mailto:RegsCompiler@LRC.ky.gov) or (502) 564-8100.

Enclosures



**COMMONWEALTH OF KENTUCKY  
OFFICE OF ATTORNEY GENERAL**  
Kentucky Office of Regulatory Relief  
1024 Capital Center Drive, Suite 200  
Frankfort, KY 40601  
<https://ag.kv.gov>

**GOING OUT OF BUSINESS/FIRE/REMOVAL/OTHER KRS 365.415 SALE  
LICENSE APPLICATION (GOB-1)**

**SECTION A - APPLICANT INFORMATION**

Complete the following and attach requested documentation:

Legal name of applicant business: \_\_\_\_\_

Doing business as (DBA) name(s) (if any): \_\_\_\_\_

Business mailing street address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Please provide the following information regarding the applicant (check one):

Corporation

Limited Liability Company

Partnership

Individual

Other - please explain: \_\_\_\_\_

State and date of incorporation, organization, or business formation: \_\_\_\_\_

Please attach a completed Surety Bond, Form GOB-2, or other bond satisfactory to the county clerk, which provides security for \$1,000.00.

**SECTION B - OWNERS, OFFICERS AND AGENTS OF APPLICANT**

Complete the following for the business officer(s); director(s); persons with a 10% controlling interest in the business (proprietor, partner(s), owner(s), partner(s), member(s), shareholder(s)); and any person the applicant employs or procures to solicit for compensation, or to advise, consult, plan or manage a solicitation campaign. If an artificial entity(s) holds ownership, please complete for individual(s) whose ownership in a parent or holding entity(s) equates to a 10% controlling ownership interest of the applicant. *Attach additional pages if needed.*

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Has any person acquired a controlling interest in the applicant within the preceding twelve (12) months?  Yes  No  
If "Yes" identify the person(s) who obtained the controlling interest. \_\_\_\_\_

\_\_\_\_\_

**SECTION C - SALE INFORMATION**

Complete the following: *Attach any requested documents and additional pages if needed.*

Please state the type of sale for goods (check one)(*see instructions at end if questions about types of sales*):

Going Out of Business     Fire     Removal     Other KRS 365.415 Sale \_\_\_\_\_ (type)

If “Going out of business” sale, has the applicant or related person(s) acquired two (2) or more prior going out of business sale licenses during the preceding four (4) year period?     Yes     No.

If “Yes,” has applicant obtained Attorney General approval to obtain an excess Going Out of Sale license?

Yes (*if “Yes” applicant must attach written documentation from the Attorney General for prior approval to obtain this excess going out of business sale license*).

No. (*if “No”, applicant must obtain Attorney General prior approval for applicant to obtain an excess going out of business sale license from the county clerk. The online application for Attorney General prior approval can be found the following link. <https://www.ag.ky.gov/Resources/Pages/forms.aspx> )*

If a “Fire” sale, provide the location, time and cause of fire damage: \_\_\_\_\_

If a “Removal” sale, provide the address for premises where the applicant is moving the business: \_\_\_\_\_

Does the sale include foods or drugs damaged by fire or casualty?     Yes     No. *If “Yes,” applicant must attach written documentation from the Cabinet for Health and Family Services approving sale of the damaged food/drugs.*

Sale date(s) and time period: \_\_\_\_\_

Sale location street address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Nature of applicant’s occupancy of sale location:     Own     Lease     Other: \_\_\_\_\_

Occupancy termination date (if any): \_\_\_\_\_

Name of contact person in charge of sale: \_\_\_\_\_

Contact person phone: \_\_\_\_\_ Contact person email: \_\_\_\_\_

Please explain the necessity or reason for the sale, including the descriptive name of the sale, and why the name truthfully describes the sale. \_\_\_\_\_

\_\_\_\_\_

**SECTION D - INVENTORY TO BE SOLD**

Complete the following for inventory to be sold. In completing this section, the “purchase cost price” shall conform to the applicant’s most recent federal income tax return. *Continued on next page. (Applicant can attach Excel spreadsheets or other documents containing same information).*

Quantity	Description of Item(s) or Class(es) of Items	Name and Address of Item Sellers to Applicant	Date of Purchase	Purchase Cost Price



**SECTION E – INVENTORY PURCHASED IN PRECEDING 90 DAYS**

Complete the following for inventory purchased in the ninety (90) days preceding this application. *Attach additional pages if needed. (Applicant can attach Excel spreadsheet or other documents containing same information).*

Quantity	Description Of Item(s) Or Class of Items	Name and Address Of Item Seller to Applicant	Date of Purchase	Purchase Cost Price

**SECTION F – SIGNATURE OF APPLICANT**

By submitting this application, the undersigned representative for the applicant, does hereby swear or affirm under penalty of perjury, the following:

- (1) The undersigned is authorized to complete this form on behalf of the applicant identified in Section A.
- (2) The information and any attachments provided in and with this application are true and correct.
- (3) The sale is for the purpose described in all sale advertising.
- (4) The inventory identified in Section D contains goods purchased in the usual course of business for resale and does not contain any goods on consignment or goods with cancellation or return privileges.
- (5) No goods that are not in the inventory list in Section D will be added for sale after the application is filed.
- (6) The applicant or a related person(s) has not conducted a going out of business sale at the same location within two (2) years prior to the date of filing of the application.
- (7) If the application if for a going out of business sale, the applicant, or a related person(s) has not established a means, directly or indirectly, to continue the business at the same location upon termination of the sale, and the business described above is to be discontinued upon termination of the sale and is not to be continued by the same person, directly or indirectly, by partnership, corporation, or otherwise, under the same name or under a different name at the same location for which the inventory for the sale was filed.
- (8) No goods listed in the inventory have been the subject of a prior similar sale type conducted within one (1) year prior to the date of the application (unless they were damaged by fire, smoke, or water while in the possession of the applicant).
- (9) The applicant agrees to immediately notify the County Clerk issuing the license of any material change in any information or attachments provided in or with this application.
- (10) The applicant agrees to provide records and documents to said County Clerk or the Attorney General within a reasonable time after requested.
- (11) The applicant understands that its license application may be denied, and a license suspended or revoked by said County Clerk.

\_\_\_\_\_

*(Signature of Applicant Representative)*

\_\_\_\_\_

*(Date Signed)*

\_\_\_\_\_

*(Printed Name)*

\_\_\_\_\_

*(Title)*

**SECTION G – COUNTY CLERK’S OFFICE (For office use only)**

This section is to be completed by the County Clerk’s Office.

Application filed in \_\_\_\_\_ County Clerk’s Office

Date application filed: \_\_\_\_\_

License application decision:  Issue  Deny

License No.: \_\_\_\_\_ (if issued)

\_\_\_\_\_  
(Signature of County Clerk)

\_\_\_\_\_  
(Date Signed/License Issued)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

**INSTRUCTIONS**

1. This application form **MUST** be completed and submitted to the County Clerk for the county where the sale will be conducted. A list of all county clerk offices can be found online at <https://kentuckyclerks.com>
2. The following attachments **MUST** be included with this application:
  - (a) A completed Surety Bond, Form GOB-2, or other suitable bond acceptable to the county clerk, for at least \$1,000.00 security.
  - (b) If the applicant has previously acquired two (2) or more going out of business sale licenses during the preceding four (4) year period, applicant must also attach written documentation evidencing Attorney General approval for the applicant to obtain an excess Going Out of Sale license.
  - (c) If application is for the sale of food or drugs damaged by fire or other casualty, applicant must also attach written documentation from the Cabinet for Health and Family Services approving of the sale of the damaged food/drugs.
3. “Going out of business sale” means any sale held in such a manner as to induce a belief that upon disposal of the stock of goods on hand, the business will cease and discontinue at the premises where the sale is being conducted.
4. “Fire sale” means any sale held in such a manner as to induce a belief that the goods are being sold at a reduction in price due to damage by fire, smoke, water or otherwise.
5. “Removal sale” means any sale held in such a manner as to induce a belief that upon disposal of the stock of goods on hand, the business will cease and discontinue at the premises where the sale is conducted, and thereafter will be moved to and occupy another location.
6. “Other KRS 365.415 sale” means a sale advertised or represented to be a sale of goods in an insurance, bankruptcy, mortgage foreclosure, insolvent’s, assignee’s, executor’s, administrator’s, receiver’s, or trustee’s sale.



**COMMONWEALTH OF KENTUCKY  
OFFICE OF ATTORNEY GENERAL**

Kentucky Office of Regulatory Relief  
1024 Capital Center Drive, Suite 200  
Frankfort, KY 40601  
<https://ag.kv.gov>

**GOING OUT OF BUSINESS/FIRE/REMOVAL/OTHER KRS 365.415 SALE  
SURETY BOND (GOB-2)**

**SECTION A - APPLICANT**

Legal name of applicant business (Principal): \_\_\_\_\_  
DBA (Doing Business As): \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_  
County: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Name of Contact Person: \_\_\_\_\_  
Contact Person Phone: \_\_\_\_\_ Contact Person Email: \_\_\_\_\_

**SECTION B - SURETY BOND**

KNOW ALL PERSONS BY THIS DOCUMENT, that the above-identified applicant business, \_\_\_\_\_, AS PRINCIPAL, and \_\_\_\_\_, a legal entity organized and existing under the laws of the State of \_\_\_\_\_, and authorized to transact surety insurance business in the Commonwealth of Kentucky under KRS Chapter 304, AS SURETY, are held and firmly bound unto the Commonwealth of Kentucky and \_\_\_\_\_ County Clerk for the benefit of any person(s) suffering injury and loss by reason of any violation of KRS 365.410 to KRS 365.480 and KRS 365.992 or related administrative regulation, AS OBLIGEE, in the full penal sum of One Thousand Dollars (\$1,000.00), lawful money of the United States of America, for the payment of which we hereby bind ourselves, jointly and severally, our heirs, executors, administrators, successors, and assigns firmly by these presents.

WHEREAS, the above-named Principal has applied to the \_\_\_\_\_ County Clerk's Office for a license authorizing a going out of business, fire, or removal sale and is required to furnish a surety bond with such application in accordance with the provisions of KRS 365.420.

NOW, THEREFORE, the condition of this obligation is such, that if the Principal shall faithfully and honestly fulfill all its obligations to the Obligee in accordance with the provisions of KRS 365.410 to 365.480 and KRS 365.992 or related administrative regulation, and no person(s) suffer loss from the Principal's professional solicitor activities by virtue of such registration, then this obligation shall be released; otherwise, to remain in full force and effect.

This Bond becomes EFFECTIVE this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

The Surety may cancel this bond at any time by filing thirty (30) days' written notice of its intent to cancel or terminate this bond with the \_\_\_\_\_ County Clerk's Office. The Surety shall not be discharged from any liability already accrued under this bond, or which shall accrue before expiration of the thirty (30) day period.

This BOND shall not become void upon the first recovery thereon but may be sued upon from time to time until the full amount thereof shall have been exhausted.

*(continued on next page)*

**SECTION B – SURETY BOND** *(continued)*

By submitting this completed Surety Bond form, the undersigned hereby swears and affirms, under penalty of perjury, that the undersigned has authority to execute and sign this Surety Bond on behalf of the Principal; and that the Principal business applicant agrees to be bound by the terms of this Bond.

\_\_\_\_\_  
*Signature of Principal Seller Representative*

\_\_\_\_\_  
*Date Signed*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Title*

The undersigned hereby swears and affirms, under penalty of perjury, that the undersigned has authority to execute and sign this Surety Bond on behalf of the Surety, and that the Surety will be bound by the terms of this Bond.

\_\_\_\_\_  
*Signature of Surety Representative*

\_\_\_\_\_  
*Date Signed*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Title*

**INSTRUCTIONS**

*A completed Surety Bond, form GOB-2, or other suitable bond acceptable to the county clerk, for at least \$1,000.00 security MUST be completed and submitted together with a Going Out of Business/Fire/Removal/Other KRS 365.415 Sale License Application, form GOB-1, to the County Clerk's Office for the county where the sale will be conducted.*