15.755 Compensation of Commonwealth's attorney and staff -- Monthly expense allowance -- Compensation adjusted -- Private law practice regulated.

(1) The compensation of each Commonwealth's attorney shall be paid out of the State Treasury.

(2) The compensation of the staff of each Commonwealth's attorney shall be paid out of the State Treasury.

(3) In each judicial circuit containing a consolidated local government, a city with a population equal to or greater than twenty-five thousand (25,000) based on the most recent federal decennial census, or an urban-county government, or a city with a population equal to or greater than eight thousand (8,000) but less than twenty thousand (20,000) based on the most recent federal decennial census and a population of sixty-eight thousand (68,000) or more, or which has a full-time Commonwealth's attorney, the Commonwealth's attorney shall not engage in the private practice of law. The population of a judicial circuit shall, for the purpose of this statute, be determined by the most recent federal decennial census enumeration. All other Commonwealth's attorneys shall not be prohibited from engaging in the private practice of law.

(4) Each Commonwealth's attorney who is prohibited from engaging in the private practice of law shall receive as compensation for his services the sum of twenty-six thousand dollars ($26,000) per annum.

(5) Each Commonwealth's attorney who is not prohibited from engaging in the private practice of law shall receive as compensation for his services the sum of fourteen thousand three hundred dollars ($14,300) per annum.

(6) Each full-time Commonwealth's attorney of the state shall be paid each month the sum of one thousand dollars ($1,000) and each part-time Commonwealth's attorney shall be paid each month the sum of five hundred dollars ($500), which sums are declared to be the equivalent of the minimum sums that each Commonwealth's attorney will expend each month in the performance of his official duties directed to be performed for the Commonwealth. The aforementioned sum shall be paid out of the State Treasury.

(7) In order to equate the compensation of Commonwealth's attorneys with the purchasing power of the dollar, the Department for Local Government shall compute by the second Friday in February of every year the annual increase or decrease in the consumer price index of the preceding year by using 1949 as the base year in accordance with Section 246 of the Constitution of Kentucky which provides that the above elected officials shall be paid at a rate no greater than twelve thousand dollars ($12,000) per annum. The Department for Local Government shall notify the appropriate governing bodies charged by law to fix the compensation of the above elected officials of the annual rate of compensation to which the elected officials are entitled in accordance with the increase or decrease in the consumer price index. Upon notification from the Department for Local Government, the appropriate governing body may set the annual compensation of the above elected officials at a rate no greater than that stipulated by the Department for Local Government.

Effective: January 1, 2015

History: Amended 2014 Ky. Acts ch. 92, sec. 22, effective January 1, 2015. -- Amended 2010 Ky. Acts ch. 117, sec. 16, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 47, sec. 8, effective June 26, 2007. -- Amended 2002 Ky. Acts ch. 182, sec. 1, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 69, sec. 3, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 175, sec. 1, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 508, sec. 4, effective July 15, 1994. – Amended 1992 Ky. Acts ch. 220, sec. 1, effective January 1, 1994. -- Amended 1986 Ky. Acts ch. 480, sec. 1, effective January 1, 1988. -- Amended 1978 Ky. Acts ch. 384, sec. 580, effective June 17, 1978. -- Created 1976 (1st Extra. Sess.) Ky. Acts ch. 17, sec. 12.

2026-2028 Budget Reference. See State/Executive Branch Budget, 2026 Ky. Acts ch. 168, Pt. I, A, 19, a, (1) at 2058.

Legislative Research Commission Note. Acts 1986, ch. 480, sec. 2 provides: "This Act shall take effect January 1, 1988. Provided, however, that KRS 15.755 [Section 1 of this Act] shall not apply to any Commonwealth's attorney in office on July 15, 1986 or his successor unless such Commonwealth's attorney shall notify the Attorney General in writing prior to December 15, 1987, of his intention to serve as a full-time Commonwealth's attorney commencing on January 1, 1988."