

CHAPTER 104**(SB 134)**

AN ACT relating to the Local Industrial Development Authority Act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 154.50-316 is amended to read as follows:

- (1) Any governmental unit by act of its legislative body may establish a nonprofit industrial development authority to be composed of *not less than* six (6) *and not more than eight* (8) members.
- (2) The authority shall be a body politic and corporate with the usual corporate attributes, and in its corporate name may sue and be sued, contract and be contracted with and do all things reasonable or necessary to effectively carry out the duties prescribed by KRS 154.50-301 to 154.50-346.

Section 2. KRS 154.50-326 is amended to read as follows:

- (1) The members of the authority shall be appointed as follows:
 - (a) If the authority is established by a city, the **members**~~{member}~~ shall be appointed by the mayor of the city;
 - (b) If the authority is established by a county, the **members**~~{member}~~ shall be appointed by the county judge/executive;
 - (c) If the authority is established as a joint city-county industrial development authority, **one-half (1/2) of the**~~{three (3)}~~ members shall be appointed by the mayor and **one-half (1/2) of the**~~{three (3)}~~ members by the county judge/executive. ***If the authority is composed of seven (7) members, the mayor and the county judge/executive shall jointly appoint the seventh member;***
 - (d) If a combination of cities and/or counties establishes a joint industrial development authority, the mayors and/or county judges/executive involved shall jointly choose **the**~~{six (6)}~~ members, and shall jointly choose successors.
- (2) Members of the authority shall serve for a term of four (4) years each, and until their successors are appointed and qualified. ***If the authority is composed of six (6) members, initial appointments shall be made so that two (2) members are appointed for two (2) years, two (2) members for three (3) years, and two (2) members for four (4) years. If the authority is composed of seven (7) members, initial appointments shall be made so that two (2) members are appointed for two (2) years, two (2) members for three (3) years, and three (3) members for four (4) years. If the authority is composed of eight (8) members, initial appointments shall be made so that two (2) members are appointed for two (2) years, three (3) members for three (3) years, and three (3) members for four (4) years.*** Upon expiration of these staggered terms, successors shall be appointed for a term of four (4) years.
- (3) An industrial development authority member may be replaced by the appointing authority upon a showing to the appointing authority of misconduct as an authority member or upon conviction of a felony.

Section 3. KRS 154.50-333 is amended to read as follows:

A quorum for the transacting of the business of the authority shall consist of *a majority of the~~four (4)~~* members. Meetings of the authority may be called by the chairman or by *a majority of the~~four (4)~~* members. In case of tie voting by the authority, the issue shall be deemed to have failed passage.

Approved March 28, 2002