

## CHAPTER 233

## (HB 218)

AN ACT relating to sheriffs expenses.

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

Section 1. KRS 64.140 is amended to read as follows:

- (1) Any sheriff may be entitled to receive an advancement to defray necessary official expenses and to apply to the payment of the salaries of ***the sheriff or the sheriff's***~~[himself and his]~~ deputies and assistants. The secretary of the Finance and Administration Cabinet shall, on the first day of each calendar month, determine the necessary amount that may be advanced to the sheriff, which amount shall not exceed one-twelfth (1/12) of the total fees collected by the sheriff for the preceding year and may be for a less amount, and in no event shall it exceed ***sixty thousand (\$60,000)***~~[thirty thousand]~~ dollars~~[- (\$30,000)]~~ per month. When approved by the secretary of the Finance and Administration Cabinet, a warrant shall be drawn on the State Treasury in favor of the sheriff for such advancement. At the end of each calendar year the sum of such advancements shall be deducted from the part of the total of fees and commissions paid into the State Treasury by the sheriff, pursuant to Section 106 of the Constitution of Kentucky, that is available for use for the payment of the salaries of the sheriff, ***the sheriff's***~~[his]~~ deputies and assistants, and ~~[his]~~ necessary office expenses.
- (2) If the office of sheriff becomes vacant, the sums advanced under this section shall be charged against that part of the fees and the commissions of the office of the sheriff that have been, or shall be, paid into the State Treasury during the calendar year in which the advancements were made, and that is available for payment of the salaries of the sheriff, ***the sheriff's***~~[his]~~ deputies and assistants, and necessary expenses of ***the***~~[his]~~ office.
- (3) If the total of fees and commissions paid into the State Treasury by the sheriff for any calendar year is insufficient to match the amount of advancements made to ***the sheriff, his or her sureties and the sheriff in his or her official capacity***~~[him, he and his sureties]~~ shall be liable to the state for any excess of advancements over the total of fees and commissions paid into the State Treasury.
- (4) ***If a sheriff makes a request for funds from the State Treasury to defray necessary official expenses, the sheriff shall not be required to submit a detailed statement of his or her personal assets and liabilities as a condition of the application process.***

Approved April 8, 2002