

CHAPTER 7**(HB 161)**

AN ACT relating to officers and declaring an emergency.

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

➔Section 1. KRS 62.990 is amended to read as follows:

- (1) Any person who violates subsection (1) of KRS 62.010 or subsection (1) of KRS 62.050 on or after the date thirty (30) days after January 27, 1995, shall be fined not less than five hundred (500) nor more than one thousand dollars (\$1,000).
- (2)
 - (a) ***If any person violates subsection (2) or (3) of KRS 62.010 before January 1, 2010, his or her office shall be considered vacant.***
 - (b) If any person violates subsection (2) or (3) of KRS 62.010 ***on or after January 1, 2010***, his office shall be considered vacant and he shall not be eligible for the same office for two (2) years.
- (3) Any person convicted or removed from office under subsection (2) of this section prior to January 10, 1995, may apply to the Circuit Court for relief from the disability of being unable to serve in office. The Circuit Court, upon receipt of the application, shall modify the sentence to remove the disability of holding the office. This subsection shall not be construed to require the removal from office of a person who has been appointed to fill the remainder of the term of a person removed from office under KRS 62.050 and 62.990.

➔Section 2. Whereas it is in the interest of the people of the Commonwealth that the mandate of the people, through the election of an officer, is carried out, and any issues concerning the service of an officer must be speedily dealt with, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Signed by the Governor March 13, 2009.