

**CHAPTER 167****(HB 295)**

AN ACT relating to the Building Inspectors' Financial Incentive Training Program Fund.

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

➔Section 1. KRS 198B.095 is amended to read as follows:

- (1) The Board of Housing, Buildings and Construction may establish a building inspectors training program through the promulgation of administrative regulations in accordance with the provisions of KRS Chapter 13A. The program shall provide training to encourage local governments to establish and improve building code enforcement programs and to encourage all building inspectors to upgrade their skills.
- (2) If the board chooses to establish the program authorized in subsection (1) of this section, there shall be created in the Office of Housing, Buildings and Construction, under the Board of Housing, Buildings and Construction, a trust and agency fund to be known as the "Building Inspectors' Financial Incentive Training Program fund". ~~{The fund shall be funded annually with a maximum of one hundred fifty thousand dollars (\$150,000) by increasing the office's plan review fees collected for each occupancy classification under KRS 198B.060 by one half cent (\$.005) per calculated square foot. Any funds collected annually in excess of one hundred fifty thousand dollars (\$150,000) shall be used solely for the administration of the office's building inspection program. Any unused fund balance at the close of the fiscal year shall not lapse but shall be carried forward to the next fiscal year, and moneys in the fund shall be available only for the purposes specified in this section.}~~
- (3) *If the board establishes the Building Inspectors' Financial Incentive Training Program fund:*
  - (a) *The fund shall be funded annually with a maximum of one hundred twenty-five thousand dollars (\$125,000) at a rate of one-half cent (\$.005) per calculated square foot from the office's plan review fees collected;*
  - (b) *Any funds annually resulting from plan review fees in excess of one hundred twenty-five thousand dollars (\$125,000) shall be used solely for the operating costs of the office's building inspection program;*
  - (c) *Moneys deposited annually into the Building Inspectors' Financial Incentive Training Program fund shall be available for use by the board to support the training program established pursuant to subsection (1) of this section; and*
  - (d) *No moneys shall be deposited into the Building Inspectors' Financial Incentive Training Program fund causing the balance to exceed one hundred twenty-five thousand dollars (\$125,000).*
- (4) *Any unused fund balance at the close of the fiscal year shall not lapse but shall be carried forward to the next fiscal year, and moneys in the fund shall be available only for the purposes specified in subsection (1) of this section. The established fund shall not be subject to the provisions of KRS 45.229.*
- (5) *Any interest earnings of the trust fund shall become part of the fund and shall not lapse.*

**Signed by Governor April 26, 2010.**