

CHAPTER 19

(HB 240)

AN ACT relating to county appointments.

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

→Section 1. KRS 67.710 is amended to read as follows:

The county judge/executive shall be the chief executive of the county and shall have all the powers and perform all the duties of an executive and administrative nature vested in, or imposed upon, the county or its fiscal court by law, or by agreement with any municipality or other subdivision of government, and such additional powers as are granted by the fiscal court. The county judge/executive shall be responsible for the proper administration of the affairs of the county placed in his charge. His responsibilities shall include, but are not limited to, the following:

- (1) Provide for the execution of all ordinances and resolutions of the fiscal court, execute all contracts entered into by the fiscal court, and provide for the execution of all laws by the state subject to enforcement by him or by officers who are under his direction and supervision;
- (2) Prepare and submit to the fiscal court for approval an administrative code incorporating the details of administrative procedure for the operation of the county and review such code and suggest revisions periodically or at the request of the fiscal court;
- (3) Furnish the fiscal court with information concerning the operations of the county departments, boards, or commissions, necessary for the fiscal court to exercise its powers or as requested by the fiscal court;
- (4) Require all officials, elected or appointed, whose offices utilize county funds, and all boards, special districts, and commissions exclusive of city governments and their agencies located within the county to make a detailed annual financial report to the fiscal court concerning the business and condition of their office, department, board, commission, or special districts;
- (5) Consistent with procedures set forth in KRS Chapter 68, prepare and submit to the fiscal court an annual budget and administer the provisions of the budget when adopted by the fiscal court;
- (6) Keep the fiscal court fully advised as to the financial condition and needs of the county and make such other reports from time to time as required by the fiscal court or as he deems necessary;
- (7) Exercise with the approval of the fiscal court the authority to appoint, supervise, suspend, and remove county personnel (unless otherwise provided by state law); ~~and~~
- (8) With the approval of the fiscal court, make appointments to or remove members from such boards, commissions, and designated administrative positions as the fiscal court, charter, law or ordinance may create. The requirement of fiscal court approval must be designated as such in the county administrative code or the county charter. In counties containing a city of the first class, the county judge/executive shall appoint to those seats which are not subject to prior qualification on a board or commission an equal number of members from each district, as defined in KRS 67.045, into which the authority of the board or commission extends. If there are more districts than members of a particular board or commission, he shall not appoint more than one (1) member from any district. If there are more members of a particular board or commission than there are districts, he shall equalize appointments to the extent possible. The county judge/executive shall not be required, but shall use his best efforts, to balance appointments on a board or commission if the appointments are to be made from nominees submitted by other groups or individuals or if nominees must have a professional or technical background, expertise or membership. He shall attempt to balance appointments among all such boards and commissions in order to equalize representation of all districts over the entire range of such boards and commissions; *and*
- (9) *When directed by statute or an ordinance of that county to make an appointment and fill a vacancy, nominate a person to fill the vacancy within sixty (60) days of the date of the vacancy. The fiscal court shall approve or disapprove the nomination within forty-five (45) days of the receipt of the nomination. If the county judge/executive fails to nominate a person within sixty (60) days of the date of the vacancy, the fiscal court may fill the vacancy. If the fiscal court fails to approve or disapprove a nomination within forty-five (45) days of the nomination, the county judge/executive's nominee is deemed to have been approved. If the fiscal court disapproves a nomination, the county judge/executive shall nominate another person to fill the*

vacancy within forty-five (45) days of the disapproval. If the county/judge executive fails to nominate another person within forty-five (45) days, a majority of the fiscal court may fill the vacancy.

Signed by Governor March 15, 2019.