

CHAPTER 164
(HB 397)

AN ACT relating to county sheriffs' fees.

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

➔Section 1. KRS 64.090 is amended to read as follows:

(1) Sheriffs may charge and collect the following fees from the Commonwealth and any of its agencies, including the Department of Kentucky State Police, when the source of payment is not otherwise specified, if the Commonwealth, any of its agencies, or the Department of Kentucky State Police makes a request that the sheriff perform any of the following:

- (a) Executing and returning process\$20.00;
- (b) Serving an order of court and return3.00;
- (c) Summoning or subpoenaing each witness, fee to be paid by requester
to sheriff before service10.00;
- (d) Summoning an appraiser or reviewer2.00;
- (e) Attending a surveyor, when ordered by a
court, per deputy or sheriff assigned20.00;
- (f) Taking any bond that he is authorized or
required to take in any action5.00;
- (g) Collecting money under execution or distress warrant, if the debt is paid or the property sold, or a
delivery bond given and not complied with, six percent (6%) on the first three hundred dollars (\$300)
and three percent (3%) on the residue; when he or she levies an execution or distress warrant, and the
defendant replevies the debt, or the writ is stayed by legal proceedings or by the order of the plaintiff,
half of the above commissions, to be charged to the plaintiff and collected as costs in the case;
- (h) Taking a recognizance of a witness3.00;
- (i) Levying an attachment5.00;
- (j) When property attached is sold by an officer other than the officer levying the attachment, the court
shall, in the judgment, make the officer an additional and reasonable allowance for levying the
attachment, and the fee of the officer selling the property shall be lessened by that sum. Reasonable
charges for removing and taking care of attached property shall be allowed by order of court;
- (k) Summoning a garnishee3.00;
- (l) Summoning a jury in a misdemeanor case, attending the trial, and
conducting the defendant to jail, to be paid by the party
convicted8.00;
- (m) Serving process or arresting the party in
misdemeanor cases, to be paid by the plaintiff30.00;
- (n) Serving an order or process of revivor3.00;
- (o) Executing a writ of possession against each tenant or defendant7.00;
- (p) Executing a capias ad satisfaciendum, the same commission as collecting money on execution. If the
debt is not paid, but stayed or secured, half commission;
- (q) Summoning and attending a jury in a case of forcible entry and
detainer, besides fees for summoning witnesses8.00;

ACTS OF THE GENERAL ASSEMBLY

- (r) Collecting militia fines and fee-bills, ten percent (10%), to be deducted out of the fee-bill or fine;
 - (s) Levying for a fee-bill3.00;
 - (t) Serving a notice2.00;
 - (u) Serving summons, warrants or process of arrest in cases of children born out of wedlock6.00;
 - (v) Serving a civil summons in a nonsupport case10.00;
 - (w) Serving each order appointing surveyors of roads, to be paid out of the county levy5.00;
 - (x) Serving each summons or order of court in applications concerning roads, to be paid out of the county levy if the road is established, and in all other cases to be paid by the applicant5.00;
 - (y) Like services in cases of private passways to be paid by the applicant5.00;
 - (z) Executing each writ of habeas corpus, to be paid by the petitioner3.00;
 - (aa) All services under a writ issued under KRS 381.460 to 381.57010.00;
 - (bb) Fingerprinting persons for professional, trade, or commercial purposes, or for personal use, per set of impressions.....10.00;
 - (cc) Taking or copying photographs for professional, trade, or commercial purposes, or for personal use, per photograph5.00; and
 - (dd) For services in summoning grand and petit jurors and performing his or her duties under KRS Chapter 29A the sheriff shall be allowed, for each person so summoned, and paid out of the State Treasury for constructive service the sum of \$1.50 and for personal service the sum of \$3.00.
- (2) Sheriffs ~~shall~~^{may} charge and collect a fee of ~~sixty~~^{forty} dollars (~~\$60~~)(~~\$40~~) from any person not requesting the service of the sheriff on behalf of the Commonwealth, any of its agencies, or the Department of Kentucky State Police for the services provided in subsection (1) of this section where a percentage, commission, or reasonable fee is not otherwise allowed. If a percentage, commission, or reasonable fee is allowed, that amount shall be paid. If payment is specified from a person other than the person who requested the service, then the person specified shall be responsible for payment.

Signed by Governor March 26, 2019.