

**148.810 Use of moneys in fund.**

- (1) Funds in the park capital maintenance and renovation fund shall be used for the maintenance and renovation of park facilities. Maintenance shall include equipment purchases, used primarily in the maintenance of infrastructure and park facilities, and expenditures related to preventative maintenance of capital assets. Renovation includes the replacement of depreciable assets, including furnishings, and purchase of depreciable assets which enhance the quality of the parks.
- (2) In no case shall the moneys from the fund be expended on:
  - (a) New capital project construction;
  - (b) Any new maintenance or renovation project estimated to cost four hundred thousand dollars (\$400,000) or more in cash or other consideration; or
  - (c) Any new item of equipment estimated to cost one hundred thousand dollars (\$100,000) or more in cash or other consideration.
- (3) Moneys in the park capital maintenance and renovation fund may be used to provide additional funding for any capital project, as defined in KRS 45.750, that received line item authorization from the General Assembly in any executive branch budget bill only if the state budget director or the director's designee submits the proposed allocation to the Capital Projects and Bond Oversight Committee at least fourteen (14) days prior to the committee meeting, in accordance with the provisions of KRS 45.800.
- (4) Notwithstanding the provisions of KRS 45.760(6), moneys in the park capital maintenance and renovation fund shall not be used to provide additional funding for any capital project, as defined in KRS 45.750, that received line item authorization from the General Assembly in any executive branch budget bill, and that has already received maximum additional funding as permitted by KRS 45.760(6) unless the state budget director or the director's designee submits the proposed allocation to the Capital Projects and Bond Oversight Committee at least fourteen (14) days prior to the committee meeting, in accordance with the provisions of KRS 45.800. In addition to the requirements of KRS 45.800, the submission shall include a written certification that:
  - (a) Due to extraordinary circumstances, which shall be described, additional funds are necessary for the project to be completed in a manner that will allow it to serve its intended purpose; and
  - (b) The use of funds from the parks capital maintenance and renovation fund do not unduly compromise the routine maintenance and renovation needs that the fund was created to address.
- (5) The commissioner shall, by September 1 of each year, report to the Legislative Research Commission the receipts, expenditures, and any amounts carried forward for the fiscal year ending on June 30 of that year from the fund established in KRS 148.800.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 78, sec. 38, effective June 25, 2009. -- Amended 1998 Ky. Acts ch. 26, sec. 1, effective July 15, 1998. -- Created 1994 Ky. Acts ch.

433, sec. 3, effective July 15, 1994.

**2020-2022 Budget Reference.** See State/Executive Branch Budget, 2020 Ky. Acts ch. 92, Pt. I, M, 4, (1) at 901.