

**6.764 Offices incompatible with being a legislator -- Exception -- Penalties.**

- (1) A legislator shall not accept any appointment as an officer or employee of the Commonwealth or any state agency except as provided in subsection (3) of this section and in Section 165 of the Constitution unless he shall have first resigned his membership in the General Assembly, and it shall be unlawful for the State Treasurer to pay any salary by reason of the appointment until the resignation has been received by the presiding officer of the house of which he or she is a member. Violation of this subsection is ethical misconduct.
- (2) A legislator shall not accept any appointment or serve as a member of the governing body of any special purpose governmental entity as defined in KRS 65A.010 which has the statutory authority to levy taxes or to set rates unless he or she shall have first resigned his membership in the General Assembly. Violation of this provision is ethical misconduct.
- (3) Notwithstanding the provisions of subsection (1) of this section, a legislator may serve on the faculty or staff of any of the state universities or community colleges or as an employee of a local public school board without resigning his or her membership in the General Assembly.

**Effective:** March 21, 2013

**History:** Amended 2013 Ky. Acts ch. 40, sec. 81, effective March 21, 2013. -- Amended 1993 (1st Extra. Sess.) Ky. Acts ch. 4, sec. 16, effective September 16, 1993. -- Amended 1979 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 2, effective February 10, 1979. -- Amended 1978 Ky. Acts ch. 16, sec. 1, effective February 24, 1978. -- Created 1976 Ky. Acts ch. 262, sec. 11.

**Formerly codified as KRS 6.800.**