

184.353 Creation of transportation improvement district -- Board of trustees.

- (1) A transportation improvement district may be created by the legislative body of a city with a population of at least twenty thousand (20,000), a county, or by a group of up to three (3) contiguous counties. A transportation improvement district shall be governed by a board of trustees appointed as outlined in either subsection (3), (4), (5), or (6) of this section.
- (2) A transportation improvement district shall be considered:
 - (a) A body both corporate and politic, and the exercise by it of the powers conferred by KRS 184.350 to 184.395 in the financing, construction, maintenance, repair, and operation of a project are and shall be held to be essential governmental functions; and
 - (b) A special purpose governmental entity as defined in KRS 65A.010 and subject to the requirements and limitations in KRS Chapter 65A.
- (3) A transportation improvement district established by a city shall be governed by a board of trustees consisting of:
 - (a) Five (5) voting members appointed by the legislative body of the city; and
 - (b) One (1) nonvoting member appointed by the regional planning commission for the county.

All members appointed under this subsection shall be residents of the city establishing the district. Two (2) of the voting members shall be members of a chamber of commerce in the city.

- (4) A transportation improvement district established by a single county shall be governed by a board of trustees consisting of:
 - (a) Five (5) voting members appointed by the legislative body of the county;
 - (b) One (1) nonvoting member appointed by the legislative body of the largest city in the county; and
 - (c) One (1) nonvoting member appointed by the regional planning commission for the county.

All members appointed under this subsection shall be residents of the county establishing the district. Two (2) of the voting members shall be members of a chamber of commerce in the county.

- (5) A transportation improvement district established by two (2) counties shall be governed by a board of trustees consisting of:
 - (a) Six (6) voting members, three (3) of whom shall be appointed by the legislative body of each county;
 - (b) One (1) voting member appointed by the board of trustees of the district;
 - (c) Two (2) nonvoting members, one (1) of whom shall be appointed by the legislative body of the largest city in each county; and
 - (d) One (1) nonvoting member appointed by the regional planning commission for the counties making up the district.

All members appointed under this subsection shall be residents of one (1) of the

counties establishing the district. One (1) of the voting members appointed by each county shall be members of a chamber of commerce located within that county.

- (6) A transportation improvement district established by three (3) counties shall be governed by a board of trustees consisting of:
 - (a) Nine (9) voting members, three (3) of whom shall be appointed by the legislative body of each county;
 - (b) Three (3) nonvoting members, one (1) of whom shall be appointed by the legislative body of the largest city in each county; and
 - (c) One (1) nonvoting member appointed by the regional planning commission for the counties making up the district.

All members appointed under this subsection shall be residents of one (1) of the counties establishing the district. One (1) of the voting members appointed by each county shall be members of a chamber of commerce located within that county.

- (7) Except for initial appointments by the legislative bodies of cities and counties, each appointed member of the board shall hold office for a term of four (4) years but be subject to removal at the pleasure of the authority that appointed the member. Initial appointments to the board by the legislative body of a city or county shall be staggered so that no more than two (2) terms expire in any one (1) year. Except as otherwise provided in this section, any vacancy on the board shall be filled in the same manner as the original appointment.
- (8) The voting members of the board shall elect from the entire board membership a chairperson, vice chairperson, and secretary-treasurer. A majority of the statutory number of voting members of the board constitutes a quorum, the affirmative vote of which is necessary for any action of the district. A vacancy in the membership of the board shall not impair the right of a quorum to exercise all the rights and perform all duties of the district.
- (9) Members of the board shall serve without pay, but shall be reimbursed for reasonable expenses from the district's budget.
- (10) A city or county that establishes a district, or a city that is part of the district established by one (1) or more counties, may make appropriations from moneys available to them and not otherwise appropriated to pay costs incurred by the district in the exercise of its functions under KRS 184.350 to 184.395.

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