

**70.325 Powers and duties of constable. (Effective January 1, 2023)**

- (1) Except as provided in subsection (2) of this section, for any constable or deputy constable taking office after January 1, 2023, who was not a constable or deputy constable in the preceding four (4) year term of office, the powers and duties of the office of constable shall not include the general powers of a peace officer or police officer. The powers and duties of the office of constable shall include:
  - (a) The specific powers and duties enumerated in this chapter;
  - (b) The power to distrain for his or her fees or for that of other officers as provided in KRS 64.400;
  - (c) The power to take necessary steps to stop, prevent, or bring under control any dog found chasing or molesting wild elk or deer at any time as provided in KRS 150.390;
  - (d) The power, in a county containing a city of the first class, to serve all forms of legal process in any child support action as provided in KRS 205.782;
  - (e) The power to sell property to satisfy a lien created by a taker-up of boats, rafts, platforms, or timber as provided in KRS 364.020;
  - (f) The power to serve a warrant to levy and seize upon the baggage and other personal property of a guest for unpaid services to the keeper of a hotel, inn, boarding house, or house of private entertainment as provided in KRS 376.350;
  - (g) The power to enforce a lien for the care of livestock as provided in KRS 376.410;
  - (h) The power to execute a warrant in actions regarding forcible entry or detainers as provided in KRS 383.210 and 383.245;
  - (i) The power to serve subpoenas issued by the Parole Board as provided in KRS 439.390; and
  - (j) The power to take up vagrants, kill mad dogs, kill and bury a distempered horse, ass, or mule, kill and bury cattle, and alter a stud, jackass, or bull as provided in KRS 64.190.
- (2) After January 1, 2023, no constable who is elected for the first time or a deputy constable appointed pursuant to KRS 70.320 shall be granted the powers generally applicable to peace officers and police officers unless the individual has been certified and maintains his or her certification pursuant to KRS 15.380.

**Effective:** January 1, 2023

**History:** Created 2022 Ky. Acts ch. 90, sec. 1, effective January 1, 2023.