

### **70.320 Deputy constables in authorized counties -- Qualifications.**

- (1) As used in this section:
  - (a) "Authorized county" means a county containing either an eligible city or a consolidated local government; and
  - (b) "Eligible city" means a city on the registry maintained by the Department for Local Government under subsection (6) of this section.
- (2) The appointment of deputy constables shall be allowed only in authorized counties. In authorized counties, each constable may appoint one (1) or more deputies, but only with the consent of the county judge/executive or the mayor of a consolidated local government or urban-county government. The county judge/executive or the mayor in a consolidated local government or urban-county government:
  - (a) Shall determine, by written order, the number of authorized deputy constable positions;
  - (b) Shall approve, by written order, each individual nominated by the constable to serve as a deputy constable;
  - (c) May revoke, by written order, the authorization for the appointment of deputy constables at any time;
  - (d) May, by written order, reduce the number of authorized deputy constables in his or her discretion; or
  - (e) May, by written order, remove any individual from the office of deputy constable at any time for any cause that he or she may deem sufficient.
- (3) No person shall be appointed a deputy constable unless he or she:
  - (a) Is a citizen of the United States and is twenty-one (21) years of age or over;
  - (b) Has resided in the county where he or she is appointed to serve for a period of at least two (2) years;
  - (c) Has never been convicted of a felony offense or any crime involving moral turpitude;
  - (d) Has not within a period of two (2) years hired himself or herself out, performed any service, or received any compensation from any private source for acting as a privately paid detective, police officer, guard, peace officer, or otherwise as an active participant in any labor dispute, or conducted the business of a private detective agency or of any agency supplying private detectives, private police officers, or private guards, or advertised or solicited any such business in connection with any labor dispute;
  - (e) Meets the requirements of KRS 15.382(3) to (17); and
  - (f) Has complied with the provisions of KRS 15.334.
- (4) A deputy constable appointed under this section shall execute a bond in accordance with KRS 70.310.
- (5) Each deputy constable in counties containing a consolidated local government or city of the first class shall be compensated for his or her services by salary fixed by the consolidated local government or fiscal court, and paid out of the levy of the consolidated local government or county.

- (6) On or before January 1, 2015, the Department for Local Government shall create and maintain a registry of cities that, as of August 1, 2014, were classified as cities of the first or second classes. The Department for Local Government shall make the information included on the registry available to the public by publishing it on its Web site.

**Effective:** January 1, 2023

**History:** Amended 2022 Ky. Acts ch. 90, sec. 12, effective January 1, 2023. -- Amended 2014 Ky. Acts ch. 92, sec. 44, effective January 1, 2015. -- Amended 2002 Ky. Acts ch. 346, sec. 70, effective July 15, 2002. -- Amended 1978 Ky. Acts ch. 384, sec. 161, effective June 17, 1978. -- Amended 1968 Ky. Acts ch. 152, sec. 44. -- Amended 1960 Ky. Acts ch. 241, sec. 1. -- Amended 1954 Ky. Acts ch. 105, sec. 1. - - Amended 1952 Ky. Acts ch. 6, sec. 1. -- Amended 1946 Ky. Acts ch. 165, sec. 1. -- Amended 1942 Ky. Acts ch. 180, secs. 8 and 9. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 425, 1083a-9.