

AN ACT proposing to amend Sections 99, 124, and 144 of the Constitution of Kentucky relating to a Judge of the County Court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. It is proposed that Section 99 of the Constitution of Kentucky be amended to read as follows:

(1) At the regular election in nineteen hundred and ninety-eight and every four years thereafter, there shall be elected in each county a Judge of the County Court, a County Court Clerk, a County Attorney, Sheriff, Jailer, Coroner, Surveyor and Assessor, and in each Justice's District one Justice of the Peace and one Constable, who shall enter upon the discharge of the duties of their offices on the first Monday in January after their election, and who shall hold their offices four years until the election and qualification of their successors.

(2) **A county that has completely merged the county government with a city government shall not elect a Judge of the County Court, if the city was the only incorporated city in the county at the time of the merger.**

➔Section 2. It is proposed that Section 124 of the Constitution of Kentucky be amended to read as follows:

Any remaining sections of the Constitution of Kentucky as it existed prior to the effective date of this amendment which are in conflict with the provisions of amended Sections 110 through 125 are repealed to the extent of the conflict, but such amended sections are not intended to repeal those parts of Sections 140 and 142 conferring nonjudicial powers and duties upon county judges and justices of the peace. Nothing in such amended sections shall be construed to limit the powers otherwise granted by this Constitution to the county judge as the chief executive, administrative and fiscal officer of the county **unless a county has completely merged the county government with the government of a city which was the only incorporated city in the county at the time of merger**, or to limit the powers otherwise granted by the Constitution to the justices of the

peace or county commissioners as executive, administrative and fiscal officers of a county, or of the fiscal court as a governing body of a county.

➔Section 3. It is proposed that Section 144 of the Constitution of Kentucky be amended to read as follows:

(1) Counties shall have a Fiscal Court, which may consist of the Judge of the County Court and the Justices of the Peace, in which Court the Judge of the County Court shall preside, if present; or a county may have three Commissioners, to be elected from the county at large, who, together with the Judge of the County Court, shall constitute the Fiscal Court. A majority of the members of said Court shall constitute a Court for the transaction of business. But where, for county governmental purposes, a city is by law separated from the remainder of the county, such Commissioners may be elected from the part of the county outside of such city.

(2) A county that has completely merged the county government with a city government shall not elect a Judge of the County Court, if the city was the only incorporated city in the county at the time of the merger.

➔Section 4. This amendment shall be submitted to the voters of the Commonwealth for their ratification or rejection at the time and in the manner provided for under Sections 256 and 257 of the Constitution and under KRS 118.415.