

AN ACT relating to licensing fees and making an appropriation therefor.

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

➔Section 1. KRS 198B.6674 is amended to read as follows:

(1) All fees and fines collected and paid into the State Treasury shall be credited to a revolving trust and agency account and shall be used only for the administration and enforcement of KRS 198B.650 to 198B.689 and the repayment of moneys borrowed from surplus trust and agency accounts of the department, ***except as otherwise provided in subsection (2) of this section.*** The moneys in the account are hereby appropriated by the General Assembly for the purposes set forth in KRS 198B.650 to 198B.689, and shall not lapse at the close of the fiscal year.

(2) (a) ***At the close of each fiscal year, moneys remaining in the account that exceed twenty percent (20%) of the annual budget of the Division of Heating, Ventilation and Air Conditioning for that closed fiscal year shall be considered to be excess funds.***

(b) ***Notwithstanding KRS 48.315, only excess funds shall be eligible to be transferred from this account to the general fund.***

(c) ***Excess funds remaining in the account not transferred to the general fund shall be credited to the division's licensing fees for the next year and fees shall be reduced in an amount equal to the total amount of excess funds divided by the number of projected licensees.***

➔Section 2. KRS 227A.050 is amended to read as follows:

(1) All fees and other moneys received by the department under the provisions of KRS 227A.010 to 227A.140 shall be deposited in the State Treasury to the credit of a revolving fund for use by the department in administering the provisions of KRS 227A.010 to 227A.140, ***except as otherwise provided in subsection (5) of this section.***

(2) No part of this revolving fund shall revert to the general funds of the

Commonwealth, except as otherwise provided in subsection (5) of this section.

- (3) An authorized local licensing program under KRS 227A.010 to 227A.140 shall negotiate with the department the amount of the fees to be retained by the authorized local licensing program.
- (4) Funds for the initial administration of KRS 227A.010 to 227A.140, following June 24, 2003, and to the extent fee income is insufficient to meet actual costs as determined by the chief budget officer for the department, shall be borrowed from surplus trust and agency accounts of the department and repaid without interest over no more than the succeeding two (2) fiscal years.

(5) (a) At the close of each fiscal year, moneys remaining in the account that exceed twenty percent (20%) of the annual budget of the Electrical Division for that closed fiscal year shall be considered to be excess funds.

(b) Notwithstanding KRS 48.315, only excess funds shall be eligible to be transferred from this account to the general fund.

(c) Excess funds remaining in the account not transferred to the general fund shall be credited to the division's licensing fees for the next year and fees shall be reduced in an amount equal to the total amount of excess funds divided by the number of projected licensees.

➔Section 3. KRS 318.136 is amended to read as follows:

- (1) All license fees, permit and inspection fees and charges, and other moneys collected by the department, under the provisions of this chapter and the rules and regulations of the department adopted hereunder, shall be paid into the State Treasury and credited to a trust and agency fund to be used by the department in carrying out the provisions of this chapter. No part of this fund shall revert to the general fund of the Commonwealth, except as otherwise provided in subsection (2) of this section. All moneys held in a trust and agency fund or other fund to the credit of the department for the administration and enforcement of this chapter on June 16, 1960, are hereby

transferred to the trust and agency fund herein created.

- (2) (a) At the close of each fiscal year, moneys remaining in the account that exceed twenty percent (20%) of the annual budget of the Division of Plumbing for that closed fiscal year shall be considered to be excess funds.
- (b) Notwithstanding KRS 48.315, only excess funds shall be eligible to be transferred from this account to the general fund.
- (c) Excess funds remaining in the account not transferred to the general fund shall be credited to the division's licensing fees for the next year and fees shall be reduced in an amount equal to the total amount of excess funds divided by the number of projected licensees.