

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2019 REGULAR SESSION
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Amend printed copy of **HB 319**

On page 2, by deleting lines 8 through 15 in their entirety and by inserting in lieu thereof:

"(5) **(a)** The county attorney shall serve as the legal advisor and representative to the consolidated local government and except for those duties pertaining to fiscal court set forth in KRS 69.210, the county attorney shall retain and exercise all other duties, powers, and rights delegated to that office by law. This subsection does not prevent the consolidated local government council from retaining its own legal counsel solely for advice and consultation should they choose to do so.

(b) 1. The county attorney and the consolidated local government council shall agree to a pool of legal counselors that shall be available for assignment or retainer in the event that the county attorney notifies the consolidated local government council that a conflict of interest exists in a particular matter not falling under the conditions set out in paragraph (a) of this subsection.

2. The pool of legal counselors may consist of legal counselors employed by the county attorney's office, legal counselors not employed by the county attorney's office, or both. The pool shall consist of an even number between four (4) and ten (10) legal counselors, as the county attorney and the consolidated local government council agree upon. The county attorney and the consolidated local government council shall each nominate individuals in

Amendment No. _____

Rep. Rep. Jeffery Donohue

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: Mitchell, Mark

Adopted: _____

Date: _____

Rejected: _____

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an amount equaling half of the total number of the individuals to serve in the pool. Before serving in the pool, all individuals nominated shall be approved by both the county attorney and the consolidated local government council. The pool shall be subject to reselection at the beginning of the county attorney's term of election. When an individual serving on the pool ceases employment with the county attorney's office, or is otherwise no longer available, the original nominating party may nominate a replacement subject to agreement with the non-nominating party.

- 3. When the county attorney notifies the consolidated local government council that a conflict of interest exists in a particular matter, the county attorney shall select one (1) or more counselors from the agreed-upon pool of legal counselors to render service for that particular matter. If the county attorney selects a member of the pool who is not employed by the county attorney's office, the county attorney shall be responsible for paying the retainer for that legal counselor's services.*
- 4. If the matter in which the conflict of interest exists involves a subject where specialized knowledge or a particular skill set is required, and no member of the pool possesses that specialized knowledge or particular skill set, then the county attorney may select a legal counselor who is not a member of pool, subject to the metro council's approval."*