

1 AN ACT relating to sheriffs and declaring an emergency.

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

3 ➔Section 1. KRS 64.090 is amended to read as follows:

4 (1) Sheriffs may charge and collect the following fees from the Commonwealth and any
5 of its agencies, including the Department of Kentucky State Police, when the source
6 of payment is not otherwise specified, if the Commonwealth, any of its agencies, or
7 the Department of Kentucky State Police makes a request that the sheriff perform
8 any of the following:

- 9 (a) Executing and returning process..... \$20.00;
- 10 (b) Serving an order of court and return 3.00;
- 11 (c) Summoning or subpoenaing each witness, fee to be paid by requester
12 to sheriff before service 10.00;
- 13 (d) Summoning an appraiser or reviewer 2.00;
- 14 (e) Attending a surveyor, when ordered by a
15 court, per deputy or sheriff assigned 20.00;
- 16 (f) Taking any bond that he is authorized or
17 required to take in any action 5.00;
- 18 (g) Collecting money under execution or distress warrant, if the debt is paid or the
19 property sold, or a delivery bond given and not complied with, six percent
20 (6%) on the first three hundred dollars (\$300) and three percent (3%) on the
21 residue; when he or she levies an execution or distress warrant, and the
22 defendant replevies the debt, or the writ is stayed by legal proceedings or by
23 the order of the plaintiff, half of the above commissions, to be charged to the
24 plaintiff and collected as costs in the case;
- 25 (h) Taking a recognizance of a witness 3.00;
- 26 (i) Levying an attachment 5.00;
- 27 (j) When property attached is sold by an officer other than the officer levying the

1 attachment, the court shall, in the judgment, make the officer an additional
 2 and reasonable allowance for levying the attachment, and the fee of the officer
 3 selling the property shall be lessened by that sum. Reasonable charges for
 4 removing and taking care of attached property shall be allowed by order of
 5 court;

6 (k) Summoning a garnishee 3.00;

7 (l) Summoning a jury in a misdemeanor case, attending the trial, and
 8 conducting the defendant to jail, to be paid by the party
 9 convicted 8.00;

10 (m) Serving process or arresting the party in
 11 misdemeanor cases, to be paid by the plaintiff 30.00;

12 (n) Serving an order or process of revivor 3.00;

13 (o) Executing a writ of possession against each tenant or defendant 7.00;

14 (p) Executing a capias ad satisfaciendum, the same commission as collecting
 15 money on execution. If the debt is not paid, but stayed or secured, half
 16 commission;

17 (q) Summoning and attending a jury in a case of forcible entry and
 18 detainer, besides fees for summoning witnesses 8.00;

19 (r) Collecting militia fines and fee-bills, ten percent (10%), to be deducted out of
 20 the fee-bill or fine;

21 (s) Levying for a fee-bill 3.00;

22 (t) Serving a notice 2.00;

23 (u) Serving summons, warrants or process of arrest in cases of
 24 children born out of wedlock 6.00;

25 (v) Serving a civil summons in a nonsupport case 10.00;

26 (w) Serving each order appointing surveyors of
 27 roads, to be paid out of the county levy 5.00;

- 1 (x) Serving each summons or order of court in applications concerning
- 2 roads, to be paid out of the county levy if the road is established,
- 3 and in all other cases to be paid by the applicant 5.00;
- 4 (y) Like services in cases of private passways to
- 5 be paid by the applicant 5.00;
- 6 (z) Executing each writ of habeas corpus, to be
- 7 paid by the petitioner 3.00;
- 8 (aa) All services under a writ issued under
- 9 KRS 381.460 to 381.570 10.00;
- 10 (bb) Fingerprinting persons for professional, trade, or commercial
- 11 purposes, or for personal use, per set of impressions 10.00;
- 12 (cc) Taking or copying photographs for professional, trade,
- 13 or commercial purposes, or for personal use, per photograph5.00; and
- 14 (dd) For services in summoning grand and petit jurors and performing his or her
- 15 duties under KRS Chapter 29A the sheriff shall be allowed, for each person so
- 16 summoned, and paid out of the State Treasury for constructive service the sum
- 17 of \$1.50 and for personal service the sum of \$3.00.
- 18 (2) Sheriffs may charge and collect a fee of forty dollars (\$40) from any person not
- 19 requesting the service of the sheriff on behalf of the Commonwealth, any of its
- 20 agencies, or the Department of Kentucky State Police for the services provided in
- 21 subsection (1) of this section where a percentage, commission, or reasonable fee is
- 22 not otherwise allowed. If a percentage, commission, or reasonable fee is allowed,
- 23 that amount shall be paid. If payment is specified from a person other than the
- 24 person who requested the service, then the person specified shall be responsible for
- 25 payment.
- 26 **(3) Sheriffs may charge and collect a fee of twenty-five dollars (\$25) for the handling**
- 27 **of an impounded vehicle and a fee of twenty-five dollars (\$25) per day for the**

1 *storage of an impounded vehicle.*

2 ➔Section 2. Whereas confusion exists as to whether a sheriff may charge for the
3 storage of impounded vehicles, an emergency is declared to exist, and this Act takes
4 effect upon its passage and approval by the Governor or upon its otherwise becoming a
5 law.