

1 AN ACT relating to a special purpose governmental entity fee and making an  
2 appropriation therefor.

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

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 132 IS CREATED TO  
5 READ AS FOLLOWS:

- 6 *(1) For use of the assessment, as required by KRS 132.280, a special purpose*  
7 *governmental entity shall pay an annual fee to the department on or before June*  
8 *30, 2021, and each June 30 thereafter in the amount stated by subsection (2) of*  
9 *this section.*
- 10 *(2) The amount of the fee shall be equal to four percent (4%) of the total receipts that*  
11 *the special purpose governmental entity received in real, tangible, and motor*  
12 *vehicle property tax collections in the previous calendar year, except that the*  
13 *amount of the fee shall not exceed one hundred thousand dollars (\$100,000).*
- 14 *(3) The fee shall be collected by the department and deposited into the separate trust*  
15 *fund established in subsection (5) of this section.*
- 16 *(4) The department may promulgate administrative regulations in accordance with*  
17 *KRS Chapter 13A for administration of the fee collection, including:*
- 18 *(a) An assessment of interest or penalties by the department to recoup costs for*  
19 *collecting delinquent payments, provided that the interest and penalties*  
20 *assessed by the department are not greater than the amounts permitted for*  
21 *tax collection purposes under KRS 131.180 and 131.183;*
- 22 *(b) A process for resolving a special purpose governmental entity's dispute of*  
23 *the fee amount assessed by the department; and*
- 24 *(c) A process for refunding overpayments of the fee, provided that the special*  
25 *purpose governmental entity applies for a refund within two (2) years from*  
26 *the date the fee is paid.*
- 27 *(5) (a) There is hereby established in the State Treasury the special purpose*

1           governmental entity fund. The fund shall consist of moneys received from  
2           the fee established in subsection (1) of this section, state appropriations,  
3           gifts, grants, and federal funds.

4           (b) The fund shall be administered by the department.

5           (c) Moneys in the fund shall be disbursed monthly, as follows:

6           1. Two-thirds (2/3) of the amount paid by a special purpose  
7           governmental entity shall be disbursed to the office of the property  
8           valuation administrator that assessed the taxable property for the  
9           special purpose governmental entity;

10          2. The remaining one-third (1/3) of the amount paid by a special purpose  
11          governmental entity shall be disbursed to the general fund; and

12          3. Any other moneys in the fund shall be equally disbursed among all of  
13          the property valuation administrator offices located within the  
14          Commonwealth.

15          (d) Notwithstanding KRS 45.229, fund amounts not expended at the close of a  
16          fiscal year shall not lapse but shall be carried forward into the next fiscal  
17          year.

18          (e) Any interest earnings of the fund shall become a part of the fund and shall  
19          not lapse.

20          (f) Moneys deposited in the fund shall be appropriated as set forth in this  
21          subsection and shall not be appropriated or transferred by the General  
22          Assembly for any other purposes.