

1 AN ACT relating to incompatible offices.

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

3 ➔Section 1. KRS 61.080 is amended to read as follows:

- 4 (1) No person shall, at the same time, be a state officer, a deputy state officer, or a
5 member of the General Assembly, and an officer of any county, city, consolidated
6 local government, or other municipality, or an employee thereof.
- 7 (2) The offices of justice of the peace, county judge/executive, surveyor, sheriff, deputy
8 sheriff, coroner, constable, jailer, and clerk or deputy clerk of a court, shall be
9 incompatible, the one (1) with any of the others. The office of county
10 judge/executive and county school superintendent are incompatible.
- 11 (3) No person shall, at the same time, fill a county office and a municipal office, **nor**
12 **shall he or she be an officer of one and an employee of the other.** Notwithstanding
13 the fact that consolidated local governments have both municipal and county
14 powers, persons who hold the office of mayor or legislative council member of a
15 consolidated local government shall not thereby be deemed to hold both a county
16 office and a municipal office. Officers of consolidated local governments shall not,
17 at the same time, fill any other county or municipal office.
- 18 (4) No person shall, at the same time, fill two (2) municipal offices, either in the same
19 or different municipalities.
- 20 (5) No person shall, at the same time, fill any two (2) appointed offices of special
21 purpose governmental entities, as defined in KRS 65A.010, that each have the
22 authority to levy taxes.
- 23 (6) No person shall, at the same time, fill any state office and an appointed office of a
24 special purpose governmental entity that has the authority to levy taxes, unless a
25 state statute specifically requires a person holding a state office to serve in an
26 appointed office of a special purpose governmental entity that has the authority to
27 levy taxes.

- 1 (7) The following offices shall be incompatible with any other public office:
- 2 (a) Member of the Public Service Commission of Kentucky;
- 3 (b) Member of the Workers' Compensation Board;
- 4 (c) Commissioner of the fiscal court in counties containing a city of the first
- 5 class;
- 6 (d) County indexer;
- 7 (e) Member of the legislative body of cities of the first class;
- 8 (f) Mayor and member of the legislative council of a consolidated local
- 9 government; and
- 10 (g) Mayor and member of the legislative body in cities of the home rule class.
- 11 (8) No office in the Kentucky active militia shall be incompatible with any civil office
- 12 in the Commonwealth, either state, county, district, or city.
- 13 (9) Service as a volunteer firefighter in a volunteer fire department district or fire
- 14 protection district formed pursuant to KRS Chapter 65, 75, 95, or 273 shall not be
- 15 incompatible with any civil office in the Commonwealth, whether state, county,
- 16 district, or city.