

1 AN ACT relating to the terms of members of city legislative bodies.

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

3 ➔Section 1. KRS 83A.040 is amended to read as follows:

4 (1) A mayor shall be elected by the voters of each city at a regular election. A  
5 candidate for mayor shall be a resident of the city for not less than one (1) year  
6 prior to his or her election. His or her term of office shall begin on the first day of  
7 January following his or her election and shall be for four (4) years and until his or  
8 her successor qualifies. If a person is elected or appointed as mayor in response to a  
9 vacancy and serves less than four (4) calendar years, then that period of service  
10 shall not be considered for purposes of re-election a term of office. A mayor shall  
11 be at least twenty-one (21) years of age, shall be a qualified voter in the city, and  
12 shall reside in the city throughout his or her term of office.

13 (2) If a vacancy occurs in the office of mayor, the following provisions shall apply:

14 (a) The legislative body of the city shall fill the vacancy within thirty (30) days;

15 (b) A member of the legislative body in any city organized and governed under  
16 the commission plan as provided by KRS 83A.140 or city manager plan as  
17 provided by KRS 83A.150 may vote for himself;

18 (c) A member of the legislative body in any city organized and governed under  
19 the mayor-council plan as provided by KRS 83A.130 and in any city of the  
20 first class organized under the mayor-alderman plan as provided by KRS  
21 Chapter 83 shall not vote for himself; and

22 (d) The legislative body shall elect from among its members an individual to  
23 preside over meetings of the legislative body during any vacancy in the office  
24 of mayor in accordance with the provisions of KRS 83A.130 to 83A.150.

25 (3) When voting to fill the vacancy created by a resignation of a mayor the resigning  
26 mayor shall not vote on his or her successor.

27 (4) (a) Each legislative body member shall be elected at large by the voters of each

1 city at a regular election. A candidate for a legislative body shall be a resident  
2 of the city for not less than one (1) year prior to his or her election. His or her  
3 term of office shall begin on the first day of January following his or her  
4 election and shall be for two (2) years *in cities with populations of less than*  
5 *twelve thousand (12,000) as determined by the most recent federal decennial*  
6 *census, and for four (4) years in cities with populations of twelve thousand*  
7 *(12,000) or more as determined by the most recent federal decennial census,*  
8 except as provided by KRS 83A.050. A member shall be at least eighteen (18)  
9 years of age, shall be a qualified voter in the city, and shall reside in the city  
10 throughout his or her term of office.

11 *(b) If a city crosses the twelve thousand (12,000) population threshold, either*  
12 *through an increase or decrease in population, as determined by the most*  
13 *recent federal decennial census, the adjusted terms of office shall take effect*  
14 *at the next regular election after the conclusion of the term of office of the*  
15 *legislative body members, as determined immediately prior to the most*  
16 *recent federal decennial census.*

17 (5) If one (1) or more vacancies on a legislative body occur in a way that one (1) or  
18 more members remain seated, the remaining members shall within thirty (30) days  
19 fill the vacancies one (1) at a time, giving each new appointee reasonable notice of  
20 his or her selection as will enable him or her to meet and act with the remaining  
21 members in making further appointments until all vacancies are filled. If vacancies  
22 occur in a way that all seats become vacant, the Governor shall appoint qualified  
23 persons to fill the vacancies sufficient to constitute a quorum. Remaining vacancies  
24 shall be filled as provided in this section.

25 (6) If for any reason, any vacancy in the office of mayor or the legislative body is not  
26 filled within thirty (30) days after it occurs, the Governor shall promptly fill the  
27 vacancy by appointment of a qualified person who shall serve for the same period

1 as if otherwise appointed.

2 (7) No vacancy by reason of voluntary resignation in the office of mayor or on a  
3 legislative body shall occur unless a written resignation which specifies a  
4 resignation date is tendered to the legislative body. The resignation may be  
5 submitted through electronic mail if it originates from the official's electronic mail  
6 address and includes also the official's handwritten signature. The resignation shall  
7 be effective at the next regular or special meeting of the city legislative body  
8 occurring on or after the date specified in the written letter of resignation. If a  
9 resignation date is not specified, the written resignation shall be deemed to become  
10 effective at the first regular or special meeting of the legislative body occurring on  
11 or after its receipt.

12 (8) Pursuant to KRS 118.305(7), if a vacancy occurs which is required by law to be  
13 filled temporarily by appointment, the legislative body or the Governor, whichever  
14 is designated to make the appointment, shall immediately notify in writing both the  
15 county clerk and the Secretary of State of the vacancy.

16 (9) Except in cities of the first class, any elected officer, in case of misconduct,  
17 incapacity, or willful neglect in the performance of the duties of his or her office,  
18 may be removed from office by a unanimous vote of the members of the legislative  
19 body exclusive of any member to be removed, who shall not vote in the deliberation  
20 of his or her removal. No elected officer shall be removed without having been  
21 given the right to a full public hearing. The officer, if removed, shall have the right  
22 to appeal to the Circuit Court of the county and the appeal shall be on the record.  
23 No officer so removed shall be eligible to fill the office vacated before the  
24 expiration of the term to which originally elected.

25 (10) Removal of an elected officer in cities of the first class shall be governed by the  
26 provisions of KRS 83.660.

27 ➔Section 2. The term of legislative body members of cities with populations of

1 twelve thousand or greater who are serving in office on the effective date of this Act shall  
2 conclude their terms on January 1, 2027, except for those legislative body members of  
3 cities with populations of twelve thousand or greater who were appointed less than three  
4 months prior to the regular November election in 2026 pursuant to Section 152 of the  
5 Constitution of Kentucky. Individuals appointed this way shall conclude their on January  
6 1, 2030. The term of legislative body members of cities with populations of twelve  
7 thousand or greater elected on and after the regular November election in 2026 shall be  
8 for four years.