

1 AN ACT relating to jails and correctional facilities.

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

3 ➔Section 1. KRS 441.540 is amended to read as follows:

4 **(1)** If there exists threatened violence or intense feeling and public indignation against a
5 person charged with a crime ~~*who is*~~ in the custody of an officer, and the
6 Circuit Judge of the county that has jurisdiction of the offense charged is of the
7 opinion that the person cannot be safely kept in the jail in that county, the Circuit
8 Judge, with the consent of the Governor, may order ~~*the*~~ person removed for
9 safekeeping to the state penitentiary most convenient to the county having
10 jurisdiction of the offense charged.

11 **(2)** In the absence of the Circuit Judge from the county, the District Judge of the county
12 may exercise the powers conferred by this section upon the Circuit Judge.

13 **(3)** The officer who makes the removal shall be entitled to the actual expenses ***incurred***
14 in making the removal, and ~~*the officer*~~ shall ***also*** receive a fee of
15 five dollars (\$5) per day for himself ***or herself***, and two and one-half dollars (\$2.50)
16 per day each for not more than two (2) guards.

17 **(4)** **(a)** The claim for fees and expenses shall be presented for approval to the Circuit
18 Court of the county having jurisdiction of the offense; ~~*and*~~

19 **(b)** The ***claimed*** compensation shall be allowed by the Circuit ***Judge*** or District
20 Judge directing the transfer and paid out of the treasury of the responsible unit
21 of government.