

1 AN ACT relating to local government and declaring an emergency.

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

3 ➔Section 1. KRS 67C.147 is amended to read as follows:

- 4 (1) In order to maintain the tax structure, tax rates, or level of services in the area of the
5 consolidated local government formerly comprising the city of the first class, the
6 legislative council of a consolidated local government may provide in the manner
7 described in this chapter for taxes and services within the area comprising the
8 former city of the first class which are different from the taxes and services which
9 are applicable in the remainder of the county. These differences may include
10 differences in tax rates upon the class of property which includes the surface of the
11 land, differences in ad valorem tax rates upon personal property, and differences in
12 tax rates upon insurance premiums.
- 13 (2) Any difference in the ad valorem tax rate on the class of property which includes
14 the surface of the land in the portion of the county formerly comprising the city of
15 the first class and in the portion of the county other than that formerly comprising
16 the city of the first class may be imposed directly by the consolidated local
17 government council. Any change in these ad valorem tax rates shall comply with
18 KRS 68.245, 132.010, 132.017, and 132.027 and shall be used for services as
19 provided by KRS 82.085.
- 20 (3) If the consolidated local government council determines to provide for tax rates
21 applicable to health insurance premiums and personal property which are different
22 in the area formerly comprising the city of the first class than the rates applicable in
23 the remainder of the county, it shall do so in the following manner. The
24 consolidated local government council shall by ordinance create a tax district to be
25 known as the "urban service tax district" bounded by the former boundaries of the
26 former city of the first class. The ordinance shall designate the number of members
27 of the board of this ~~tax~~^{taxing} district and the manner in which they shall be

1 appointed. The ordinance shall provide that the board of the ~~tax~~[taxing] district
2 shall receive the income derived from the differential~~-in~~ tax rate applicable in the
3 area formerly comprising the city of the first class with respect to personal property,
4 health insurance premiums, or both, and shall contract with the consolidated local
5 government to pay all sums collected to the consolidated local government, in
6 return for the provision of services performed by the consolidated local government
7 within the area formerly comprising the city of the first class which services are in
8 addition to services performed by the consolidated local government in the
9 remainder of the county. The consolidated local government shall provide at least
10 an annual reporting to the urban service tax district board and the legislative body
11 of the consolidated local government containing but not limited to detailed
12 operating and capital expenditures of each service performed by the consolidated
13 local government.

14 (4) After the initial formation of an urban service ~~tax~~[taxing] district in a consolidated
15 local government, the boundaries of the district may be modified in the following
16 manner. The proposal to alter the boundaries of the urban service ~~tax~~[taxing]
17 district within a consolidated local government may be initiated by:

18 (a) A resolution enacted by the consolidated local government describing the
19 boundaries of the area to be added to or deleted from the ~~tax~~[taxing] district
20 and duly passed and signed by the mayor not less than one hundred twenty
21 (120) days before the next regularly scheduled election day within the county;

22 or

23 (b) A petition signed by a number of qualified voters living within precincts
24 within the area to be added to or deleted from the ~~tax~~[taxing] district equal to
25 ten percent (10%) of the votes cast within each precinct in the last general
26 election for President of the United States and delivered to the clerk of the
27 legislative council more than one hundred twenty (120) days next preceding

1 the next regularly scheduled election day within the county.
2 The boundaries so described in either case shall not cross precinct lines. The
3 question of whether the area bounded as described should be added to or deleted
4 from, as the case may be, the urban service tax~~[services taxing]~~ district shall then be
5 placed upon the ballot in the precincts in the area to be added or deleted at the next
6 regular election and the question stated on the ballot shall be so phrased that a
7 "Yes" vote shall be cast in favor of making the proposed change and a "No" vote
8 shall be cast to oppose the proposed change. If a majority of those voting in those
9 precincts support the change, then the change in the boundaries of the urban service
10 tax district shall be implemented.

- 11 **(5) (a) No later than July 1, 2025, the consolidated local government shall**
12 **reimburse a fire district operating under KRS Chapter 75 for expenses**
13 **related to each emergency medical response made by the fire district**
14 **operating under KRS Chapter 75 into the area of the urban service tax**
15 **district. A fire district so responding shall receive from the consolidated**
16 **local government three hundred dollars (\$300) for transporting a person**
17 **and one hundred fifty dollars (\$150) for arriving at person's location when**
18 **no person is transported.**
- 19 **(b) The payment established in paragraph (a) of this subsection shall be in**
20 **addition to any insurance moneys the fire district may be eligible to receive**
21 **resulting from the response.**
- 22 **(c) The payment established in paragraph (a) of this subsection shall be**
23 **adjusted on July 1 of each year by the percentage increase in the**
24 **nonseasonally adjusted annual average Consumer Price Index for All**
25 **Urban Consumers (CPI-U), U.S. City Average, All Items, between the two**
26 **(2) most recent calendar years available, as published by the United States**
27 **Bureau of Labor Statistics.**

- 1 (d) The consolidated local government shall not charge a fire district operating
2 under KRS Chapter 75 for any expenses or services that the consolidated
3 local government was not charging the fire district prior to January 1, 2024.
- 4 (6) (a) From July 1, 2025, to June 30, 2028, the differential tax received by the
5 urban service tax district shall fund no less than eighty-five percent (85%)
6 of all costs related to the services provided, including capital expenditures
7 related to the services, within the urban service tax district by the
8 consolidated local government as set out in this section that are in addition
9 to the services performed by the consolidated local government in the
10 remainder of the county.
- 11 (b) From July 1, 2028, to June 30, 2031, the differential tax received by the
12 urban service tax district shall fund no less than ninety percent (90%) of all
13 costs related to the services provided, including capital expenditures related
14 to the services, within the urban service tax district by the consolidated local
15 government as set out in this section that are in addition to the services
16 performed by the consolidated local government in the remainder of the
17 county.
- 18 (c) From July 1, 2031, to June 30, 2034, the differential tax received by the
19 urban service tax district shall fund no less than ninety-five percent (95%)
20 of all costs related to the services provided, including capital expenditures
21 related to the services, within the urban service tax district by the
22 consolidated local government as set out in this section that are in addition
23 to the services performed by the consolidated local government in the
24 remainder of the county.
- 25 (d) After June 30, 2034, the differential tax received by the urban service tax
26 district shall fund no less than one hundred percent (100%) of all costs
27 related to the services provided, including capital expenditures related to the

1 services, within the urban service tax district by the consolidated local
2 government as set out in this section that are in addition to the services
3 performed by the consolidated local government in the remainder of the
4 county.

5 ➔Section 2. KRS 67C.111 is amended to read as follows:

6 (1) All cities other than those of the first class located within the territory of the
7 consolidated local government, upon the successful passage of the question to
8 consolidate a city of the first class and its county, shall remain incorporated unless
9 dissolved in accordance with KRS 81.094 and shall continue to exercise all powers
10 and perform the functions permitted by the Constitution and general laws of the
11 Commonwealth of Kentucky applicable to the cities of the class to which they have
12 been assigned.

13 (2) (a) After July 15, 2024, with the approval of the consolidated local government's
14 legislative council, qualified voters within the consolidated local government
15 may establish new cities within the consolidated local government pursuant to
16 KRS 81.050 and 81.060. The proposed city must have a population of six
17 thousand (6,000) or greater. This territory shall not be within any urban
18 services boundary of the consolidated local government nor shall it include
19 any territory currently incorporated within any existing city. The approval of
20 the desire to establish a new city shall be in the form of a resolution by the
21 consolidated local government's legislative council. If the legislative council
22 does not act upon the request within sixty (60) days of the receipt of the desire
23 to incorporate a new city, that shall serve as notice of approval by the
24 legislative council of the incorporation of the new city.

25 (b) If the petition to form a city is signed by a number of registered and
26 qualified voters residing in the area proposed to be incorporated which is
27 equal to at least seventy-five percent (75%) of the total number of votes cast

1 *in the area in the last preceding presidential election* ~~[sixty-six percent (66%)~~
 2 ~~or more of the qualified voters in the area proposed to be incorporated]~~, the
 3 consolidated local government's legislative council shall approve the proposed
 4 incorporation.

5 (c) If the petition to form a city is signed by *a number of registered and*
 6 *qualified voters residing in the area proposed to be incorporated which is*
 7 *less than seventy-five percent (75%) of the total number of votes cast in the*
 8 *area in the last preceding presidential election* ~~[less than sixty-six percent~~
 9 ~~(66%) of the qualified voters in the area proposed to be incorporated]~~, the
 10 consolidated local government's legislative council may approve the proposed
 11 incorporation.

12 *(d) An action of the consolidated local government's legislative council*
 13 *approving an incorporation passed by the consolidated local government*
 14 *legislative council shall not be subject to veto by the mayor of the*
 15 *consolidated local government.*

16 (3) *(a)* Any proposed annexation by a city in that county shall first receive the
 17 approval of the legislative council of the consolidated local government prior
 18 to the city proceeding under the provisions of KRS Chapter 81A. The city
 19 shall request the approval of the consolidated legislative council by ordinance.

20 *For requests filed* after July 15, 2024: ~~[, if]~~

21 *1. If* the ordinance is accompanied by a petition in favor of the proposed
 22 annexation signed by *a number of registered and qualified voters*
 23 *residing in the area proposed to be annexed which is equal to at least*
 24 *seventy five percent (75%) of the total number of votes cast in the area*
 25 *in the last preceding presidential election, the consolidated local*
 26 *government shall approve the proposed annexation* ~~[sixty-six percent~~
 27 ~~(66%) or more of the qualified voters of the area proposed to be~~

1 ~~annexed,];~~ or

2 2. If the ordinance is accompanied by written consent of the owners of
 3 record of the area to be annexed when that area is vacant or is
 4 otherwise unimproved land and where no persons reside, the
 5 consolidated government legislative council shall approve the proposed
 6 annexation. A city shall not annex vacant or otherwise unimproved
 7 land where no persons reside as set out by this subparagraph more
 8 than once every four (4) calendar years.

9 (b) The consolidated legislative council's decision shall be made by ordinance
 10 and within sixty (60) days of the receipt of the request by the affected city. If
 11 an ordinance has not been enacted by the consolidated legislative council
 12 within sixty (60) days, the request for a city to proceed with an annexation
 13 proposal shall be deemed to be approved by the consolidated legislative
 14 council. An ordinance approving annexation passed by the consolidated local
 15 government legislative council shall not be subject to veto by the mayor of the
 16 consolidated local government.

17 (c) 1. A city in a county containing a consolidated local government shall
 18 not annex commercial real estate primarily for the purpose of
 19 obtaining occupational license taxes, net profits, or gross receipts
 20 taxes unless each owner of record of property within the area to be
 21 annexed gives prior consent in writing to the annexation.

22 2. a. As used in this paragraph, "commercial real estate" means any
 23 parcel of real estate that is:

24 i. Lawfully used primarily for sales, retail, wholesale, office,
 25 research, institutional, warehouse, manufacturing, or
 26 industrial purposes;

27 ii. Lawfully used primarily for multifamily residential

- 1 purposes involving five (5) or more dwelling units; or
 2 iii. Zoned as a business or commercial use by a planning unit
 3 under the provisions of KRS Chapter 100.
 4 b. "Commercial real estate" does not include single-family
 5 residential units such as condominiums, townhouses,
 6 manufactured homes, or homes or lots in a subdivision when
 7 sold, or residential units otherwise conveyed on a unit-by-unit
 8 basis, even if those units are part of a larger building or parcel of
 9 real estate containing more than four (4) residential units.

10 (4) The adoption of a consolidated local government in a county containing a city
 11 of the first class shall not prevent the merger or dissolution of any existing
 12 cities as provided by law or the merger of any remaining cities with the newly
 13 consolidated local government.

14 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 67C IS CREATED TO
 15 READ AS FOLLOWS:

16 (1) Except as otherwise expressly provided by law, in appointing members to boards,
 17 committees, commissions, task forces, ad hoc committees, and other
 18 administrative bodies created by or whose membership is appointed by the
 19 executive authority, legislative authority, or a combination of both of the
 20 consolidated local government, either under their home rule authority or in
 21 response to a requirement or option under the authority of the Kentucky Revised
 22 Statutes, the appointing authority shall make a conscientious effort to select, from
 23 among the most qualified persons, those persons whose appointment would
 24 ensure that the membership of the board, committee, commission, task force, ad
 25 hoc committee, or other administrative body accurately reflects the geographic
 26 population of the area represented by the local board, committee, commission,
 27 task force, or ad hoc committee, or other administrative body as determined

1 pursuant to the most recent federal decennial census, unless the law regulating
2 such appointment requires otherwise.

3 (2) If there are multiple appointing authorities for the board, committee, commission,
4 task force, ad hoc committee, or administrative body, they shall consult with each
5 other to assure compliance with this section.

6 (3) This section shall apply to appointments and reappointments made after the
7 effective date of this Act. It shall not prohibit a member of a board, committee,
8 commission, task force, ad hoc committee, or other administrative body from
9 completing a term serving as a member when this section takes effect. A person
10 appointed to a board, committee, commission, task force, ad hoc committee, or
11 other administrative body prior to the effective date of this Act, shall not be
12 removed from the appointment solely for the purpose of meeting the requirements
13 of this section.

14 ➔Section 4. KRS 67C.103 is amended to read as follows:

15 (1) The legislative authority of a consolidated local government, except as otherwise
16 specified in KRS 67C.101 to 67C.137, shall be vested in a consolidated local
17 government council. The members of the council shall be nominated and elected by
18 district. There shall be only one (1) council member elected from each council
19 district.

20 (2) There shall be twenty-six (26) council districts. The initial boundaries, population,
21 and numerical designation of the council districts shall be as specified by KRS
22 67C.135. The population of the council districts shall be as nearly equal as is
23 reasonably possible. Any changes made to alter the boundaries of council districts
24 shall be based on the population of the county as determined by the most recent
25 United States Census or official census estimates as provided by the United States
26 Bureau of the Census.

27 (3) Following the official publication of each decennial census by the United States

1 Bureau of the Census for the area embraced by a consolidated local government, the
2 council shall adopt an ordinance, if necessary, to redistrict the council districts. A
3 redistricting ordinance shall provide for the distribution of population among the
4 council districts as nearly equal as is reasonably possible. Every council district
5 shall be compact and contiguous and shall respect existing neighborhood,
6 community, and city boundaries whenever possible.

7 (4) The consolidated local government council members shall serve for a term of four
8 (4) years beginning on the first Monday in January following their election, except
9 that the initial election of council members shall be in a manner as to provide for
10 staggered terms for council members. At the initial election of the members of a
11 consolidated local government council, those representing even-numbered districts
12 shall be elected for a two (2) year term. Those representing odd-numbered districts
13 shall be elected for a four (4) year term. Thereafter, all council members shall be
14 elected for four (4) year terms.

15 (5) The members of a consolidated local government council shall be nominated and
16 elected from the district in which they reside in nonpartisan~~partisan~~ elections.
17 After the initial terms of office of the first elected council members, council
18 members shall be elected in the same election years as other local government
19 officials as regulated by the regular election laws of the Commonwealth and as
20 provided in subsection (4) of this section.

21 (6) No person shall be eligible to serve as a member of a consolidated local government
22 council unless he or she is at least eighteen (18) years old, a qualified voter, and a
23 resident within the territory of the consolidated local government and the district
24 that he or she seeks to represent for at least one (1) year immediately prior to the
25 person's election. A council member shall continue to reside within the district from
26 which he or she was elected throughout the term of office.

27 (7) The presiding officer of a consolidated local government council shall be a

1 president who shall be chosen annually by a majority vote of the entire council from
2 among its members at the first meeting of the council in January. The council
3 president has the right to introduce any resolution or recommend any ordinance and
4 shall be entitled to vote on all matters.

5 (8) The consolidated local government council shall upon notice meet within seven (7)
6 days after its members have taken office, and shall thereafter hold at least one (1)
7 regular meeting per month. No newspaper notice shall be required for regular or
8 special meetings of the consolidated local government council. However, notice of
9 all meetings of the council and all meetings of committees of the council shall be
10 held pursuant to KRS 61.805 to 61.850.

11 (9) A majority of the members of the consolidated local government council shall
12 constitute a quorum, but a smaller number may adjourn from day to day. The
13 consolidated local government council may enforce the attendance of members by
14 rules or ordinances with appropriate fines. The mayor or two-thirds (2/3) of the
15 entire membership of the council may call a special meeting at any time. Meetings
16 shall be held in such places in the county as are provided by ordinance, and the
17 place of meetings shall not be changed except by an ordinance for which two-thirds
18 (2/3) of the members of the consolidated local government council have voted.

19 (10) The council shall determine its own rules and order of business, and keep and
20 provide a public record of its proceedings. The council shall provide for the
21 publication of all ordinances in a composite code of ordinances.

22 (11) Council ordinances that prescribe penalties for their violation shall be enforced
23 through the entire area of the consolidated local government unless:

24 (a) Otherwise provided by statute; or

25 (b) The legislative body of any city within the consolidated local government area
26 has adopted an ordinance pertaining to the same subject matter that is the
27 same as or more stringent than the standards set forth in the consolidated local

1 government's ordinance.

2 (12) (a) In the case of a vacancy on the consolidated local government council by
3 reason of death, resignation, or removal, a nonpartisan~~[an]~~ election shall be
4 held to fill the unexpired term, unless paragraph (c) of this subsection applies.
5 The county clerk shall be responsible for administering the election. The
6 election shall proceed as follows:

7 1. The presiding officer of the council shall declare the position vacant and
8 issue a writ of election within twenty-four (24) hours of the occurrence
9 of the vacancy;

10 2. The writ shall be signed by the presiding officer, shall designate the day
11 for holding the election, and shall be delivered to the sheriff;

12 3. Candidates for the unexpired term shall file petitions of nomination with
13 the county clerk not later than ten (10) days following the declaration of
14 vacancy. The election shall be held sixty (60) days after the declaration
15 of vacancy on the next Tuesday which is not a federal holiday under 5
16 U.S.C. sec. 6103(a), unless paragraph (b) of this subsection applies. The
17 petition for nomination shall contain the signatures of two (2) registered
18 voters of the council district and shall meet the requirements of KRS
19 118.315(2); and

20 4. ~~If the candidate is a registered member of a political party, as defined~~
21 ~~by KRS 118.551, the candidate shall be designated as such on the~~
22 ~~election ballot. If the candidate is not a registered member of a political~~
23 ~~party, as defined by KRS 118.551, the candidate shall be designated as~~
24 ~~"independent" on the election ballot, or may choose to be designated as~~
25 ~~a member of another political organization on the ballot, if such political~~
26 ~~organization is indicated on the candidate's petition for nomination; and~~

27 5. ~~The successful candidate elected to fill an unexpired term in the office~~

1 of consolidated local government council member shall take office
2 immediately upon certification of the election results and administration
3 of the oath of office.

4 (b) If the unexpired term will not end on the first Monday in January following
5 the next regular election, and if less than three (3) months intervene before
6 that regular election, the unexpired term shall be filled on the date set for the
7 regular election. Candidates for full terms shall be grouped together, and
8 candidates for unexpired terms shall be grouped together, under appropriate
9 headings, so that the voter may easily distinguish the candidates for full terms
10 from the candidates for unexpired terms.

11 (c) If the unexpired term will end on the first Monday in January following the
12 next regular election, and if less than three (3) months intervene before that
13 regular election, the presiding officer of the council shall appoint a qualified
14 person to fill the vacancy and serve the remainder of the term.

15 ~~(d) [Votes cast pursuant to KRS 117.125(3) shall not be counted for, or assigned~~
16 ~~to, any candidate in an election to fill a vacancy on the council, even if that~~
17 ~~candidate is the only designee of a political party or organization nominated in~~
18 ~~an election to fill a vacancy on the council.~~

19 ~~(e)]~~ The order of the names on the ballot for the candidates shall be determined by
20 lot at a public drawing to be held in the office of the county clerk at 4 p.m.,
21 standard time, ten (10) days following the declaration of vacancy.

22 (13) All legislative powers of a consolidated local government are vested in the
23 consolidated local government council. The term "legislative power" is to be
24 construed broadly and shall include the power to:

25 (a) Enact ordinances, orders, and resolutions, and override a veto of the mayor by
26 a two-thirds (2/3) majority of the membership of the legislative council;

27 (b) Review the budgets of and appropriate money to the consolidated local

1 government;

2 (c) Adopt a budget ordinance;

3 (d) Levy taxes, subject to the limitations of the Constitution and the laws of the
4 Commonwealth of Kentucky;

5 (e) Establish standing and temporary committees; and

6 (f) Make independent audits and investigations concerning the affairs of the
7 consolidated local government and any board or commission that:

8 1. Is composed of members who are appointed by the mayor and approved
9 by the legislative council; or

10 2. Has a budget that is equal to or greater than one million dollars
11 (\$1,000,000.00), except that this subparagraph shall not apply to any fee
12 officer elected within the consolidated local government.

13 (14) (a) The consolidated local government council shall establish a Government
14 Oversight and Audit Committee. This committee shall be:

15 1. Composed of members from each of the two (2) largest political
16 caucuses in the legislative council;

17 2. Appointed by the chairs of their respective caucuses; and

18 3. Composed on the basis of the proportion of each of the two (2) caucuses'
19 total membership as compared to the total membership of the legislative
20 council. Any fractional proportions shall be rounded in the favor of the
21 smallest caucus' membership on the committee.

22 (b) The committee shall have the power to:

23 1. Compel testimony and the submission of work papers or documents;

24 2. Issue subpoenas to compel any officer, appointee, or former officer or
25 appointee to a board or commission described in subsection (13)(f) of
26 this section or any department or division of the consolidated local
27 government to appear before the committee and to compel the

- 1 submission to the committee of any work papers or documents pertinent
2 to an independent audit or investigation. Any subpoenas issued or
3 testimony compelled shall be subject to any relevant statutes concerning
4 privacy. Testimony subject to KRS 61.810 shall only be taken in
5 executive session. The right to privacy or the requirement that testimony
6 be taken in executive session may be waived by the person or entity
7 being subpoenaed or compelled to testify;
- 8 3. Petition the appropriate Circuit Court to compel obedience by
9 proceedings for contempt as in the case of disobedience of a subpoena
10 issued from the Circuit Court or a refusal to testify therein, if any officer
11 or appointee fails or refuses to testify or furnish the work papers or
12 documents subpoenaed;
- 13 4. Administer oaths to witnesses appearing before the committee when the
14 committee deems the administration of an oath necessary and advisable
15 as provided by law. This decision to administer oaths shall be taken by a
16 majority vote of the committee of the legislative council; and
- 17 5. Recommend the removal of any appointee to a board or commission
18 described in subsection (13)(f) of this section.
- 19 (c) The legislative council of the consolidated local government shall adopt by
20 resolution any process or procedures deemed necessary for the administration
21 of subpoenas and oaths.
- 22 (d) The legislative council of the consolidated local government may only act to
23 remove an appointee to a board or commission described in subsection (13)(f)
24 of this section upon the recommendation of the Government Oversight and
25 Audit Committee.
- 26 (e) The Government Oversight and Audit Committee shall have the power to
27 issue subpoenas or administer oaths. Except as provided in KRS 65.003(7),

1 the legislative council of the consolidated local government shall not delegate
2 those powers to any other entity or entities not a part of the legislative council
3 of the consolidated local government.

4 (15) The consolidated local government council shall be known as the legislative council
5 of/..... County Metro Government, which shall be a
6 combination of the names of the largest city in existence in the county on the date
7 of the adoption of the consolidated local government and the county.

8 ➔Section 5. KRS 67C.105 is amended to read as follows:

9 (1) All executive and administrative power of the government shall be vested in the
10 office of the mayor. The term "executive and administrative power" shall be
11 construed broadly. The mayor shall be the chief executive of a consolidated local
12 government formed under the provisions of KRS 67C.101 to 67C.137.

13 (2) (a) The mayor shall be nominated and elected in nonpartisan~~partisan~~ elections
14 for a term of four (4) years in the same election years as other local
15 government officials as regulated by the regular election laws of the
16 Commonwealth.

17 (b) The mayor shall assume office on the first Monday in January following his
18 or her election. He or she shall serve until a successor qualifies.

19 (c) After January 1, 2023, the mayor may serve for no more than two (2)
20 consecutive terms, after which time he or she shall be prohibited from running
21 for election or being appointed as mayor for a period of at least four (4) years.

22 (3) The mayor shall be at least twenty-one (21) years old, a qualified voter~~, a member~~
23 ~~of his or her political party~~, and a resident of the territory encompassing the
24 consolidated local government for a period of at least one (1) year prior to his or her
25 election as mayor. The mayor shall continue to reside within the geographic
26 boundary of the consolidated local government throughout his or her term of office.

27 (4) Except as otherwise provided in KRS 67C.101 to 67C.137, the mayor shall have all

1 the power and authority that the mayor of the city of the first class and the county
2 judge/executive exercised under the Constitution and the general laws of the
3 Commonwealth of Kentucky prior to the consolidation.

- 4 (5) The mayor is authorized to supervise, administer, and control all departments and
5 agencies as may be created by KRS 67C.101 to 67C.137 or created by ordinance.
6 The mayor shall appoint all department and agency directors. The appointees shall
7 serve at the pleasure of the mayor. Specifically, the mayor shall:
- 8 (a) Prepare and submit an annual report coinciding with the fiscal year, on the
9 state of the consolidated local government, to be presented at a public meeting
10 of the council;
 - 11 (b) Submit an annual budget no fewer than sixty (60) days prior to the end of the
12 fiscal year;
 - 13 (c) Oversee the administration and implementation of the adopted budget
14 ordinance;
 - 15 (d) Enforce the ordinances of the consolidated local government;
 - 16 (e) Supervise all officers, agents, employees, cabinets, departments, offices,
17 agencies, functions, and duties of the consolidated local government;
 - 18 (f) Call special meetings of the consolidated local government council;
 - 19 (g) Appoint and remove his or her own staff at his or her own pleasure;
 - 20 (h) Execute written contracts, subscriptions, agreements, or obligations of the
21 consolidated local government;
 - 22 (i) Approve or veto ordinances and resolutions adopted by the consolidated local
23 government council;
 - 24 (j) Submit any written contracts, subscriptions, agreements, or obligations
25 exceeding the small purchase amount established pursuant to KRS 45A.385 in
26 a resolution to the legislative council for its approval or its disapproval. Those
27 written contracts, subscriptions, agreements, or obligations awarded to the

1 lowest evaluated bid or proposal pursuant to KRS 45A.343 to 45A.460 shall
2 be excluded, unless the legislative council changes the threshold for
3 submission of a resolution. The legislative council may, by ordinance, set
4 threshold amounts other than those established by KRS 45A.385 for the small
5 purchases for submission of a resolution for its approval or disapproval; and

6 (k) Appoint a deputy mayor within seven (7) days of the mayor taking the oath of
7 office and keep the office of deputy mayor filled throughout the mayor's term.

8 The deputy mayor shall:

- 9 1. Meet all the qualifications for mayor established pursuant to subsection
10 (3) of this section;
- 11 2. Serve at the mayor's pleasure and may be replaced by the mayor for any
12 cause; and
- 13 3. Have only the duties assigned to him or her by the mayor.

14 (6) (a) If the office of mayor becomes vacant by reason of death, resignation, or
15 removal:

- 16 1. The deputy mayor shall become the temporary mayor, inheriting all
17 powers and duties of the mayor;
- 18 2. The deputy mayor shall serve as temporary mayor for no more than
19 thirty (30) days until the council, by a majority vote of the members of
20 the council, shall elect a resident of the consolidated local government
21 who meets the qualifications for mayor established pursuant to
22 subsection (3) of this section to serve as mayor. The council may select
23 the temporary mayor for this position. If the legislative council fails to
24 elect a person to fill the vacancy within thirty (30) days after the
25 vacancy occurs, the Governor shall fill the vacancy in the office by
26 appointment of a qualified person who is a resident of the consolidated
27 local government and meets the qualifications for mayor established

1 pursuant to subsection (3) of this section; and

2 3. The tenure of the gubernatorial appointment shall be governed by
3 Section 152 of the Kentucky Constitution.

4 (b) If the offices of both the mayor and deputy mayor become vacant by reason of
5 death, resignation, or removal:

6 1. The presiding officer of the consolidated local government council shall
7 become the temporary mayor, inheriting all powers and duties of the
8 mayor;

9 2. The presiding officer shall serve as temporary mayor for no more than
10 thirty (30) days until the council shall, by a majority vote of the
11 members of the council, elect a resident of the consolidated local
12 government who meets the qualifications for mayor established pursuant
13 to subsection (3) of this section. The council may select the temporary
14 mayor for this position. If the legislative council fails to elect a person to
15 fill the vacancy within thirty (30) days after the vacancy occurs, the
16 Governor shall fill the vacancy in the office by appointment of a
17 qualified person who is a resident of the consolidated local government
18 and meets the qualifications for mayor established pursuant to
19 subsection (3) of this section; and

20 3. The tenure of the gubernatorial appointment shall be governed by
21 Section 152 of the Kentucky Constitution.

22 (7) The mayor of a consolidated local government shall be known as the mayor of
23 /..... County Metro Government, which shall be a combination
24 of the names of the largest city in existence in the county on the date of the
25 adoption of the consolidated local government and the county.

26 ➔Section 6. KRS 117.125 is amended to read as follows:

27 No voting system or voting equipment shall be approved for use after January 1, 2024, by

1 the State Board of Elections, either upon initial examination or reexamination, and no
2 voting equipment or voting system shall be purchased after July 14, 2022, unless the
3 system and equipment has been certified under KRS 117.379 and is so constructed that it
4 shall:

- 5 (1) Ensure secrecy to the voter in the act of voting so that no person can see or know
6 for whom any other voter has voted or is voting, except for those voters requiring
7 assistance under KRS 117.255;
- 8 (2) Permit votes to be cast for any candidate entitled to have his or her name printed
9 upon the ballots at any primary, regular election, or special election, and for or
10 against any public question entitled to be placed upon the ballots;
- 11 (3) Except at a primary~~[or at a special election held under KRS 67C.103(12)]~~, permit a
12 voter to vote for all the candidates of one (1) party or for one (1) or more candidates
13 of every party having candidates entitled to be voted for, or for one (1) or more
14 independent, political organization, or political group candidates;
- 15 (4) Permit a voter to vote for as many persons for an office as the voter is lawfully
16 entitled to vote for, and no more;
- 17 (5) Prevent a voter from voting for more persons for any office than the voter is entitled
18 to vote for, and from voting for the same person, or for or against the same
19 question, more than once;
- 20 (6) Permit a voter to vote for or against any question the voter may have the right to
21 vote on, but no other;
- 22 (7) Provide for a nonpartisan ballot;
- 23 (8) Be capable of being adjusted for use in a primary so that a voter may not vote for
24 any person except those seeking nomination as candidates of the voter's party, as
25 candidates for a nonpartisan office, or as candidates for an office of the Court of
26 Justice;
- 27 (9) Permit each voter to vote for all the candidates for presidential electors of any party

- 1 by one (1) operation;
- 2 (10) Permit each voter to vote, in any regular or special election, for any person for
3 whom the voter desires to vote whose name does not appear upon the ballot by
4 providing a method of write-in voting;
- 5 (11) Be safe, efficient, and accurate in the conduct of elections, and correctly register
6 and accurately count all votes cast for each person, and for or against each public
7 question;
- 8 (12) (a) Provide each voter an opportunity to verify votes recorded on the permanent
9 paper ballot, either visually or using assistive voting technology, by producing
10 a voter-verified paper audit trail;
- 11 (b) Provide each voter an opportunity to change votes or correct any error before
12 the voter's ballot is cast and counted; and
- 13 (c) Provide a voter who spoils his or her ballot another ballot as provided under
14 this chapter;
- 15 (13) Use an individual, discrete, permanent, paper ballot cast by the voter for tabulating
16 purposes;
- 17 (14) Preserve the paper ballot as an official record available for use in any audit or
18 recount;
- 19 (15) Be suitably designed for the purpose used, constructed of a durable material, and
20 safely transportable;
- 21 (16) Be capable of determining whether the voting equipment has been unlocked and
22 operated or adjusted in any manner after once being locked;
- 23 (17) Have a public counter with a register which is visible from the outside of the
24 counter or device that will show at all times during an election how many persons
25 have voted;
- 26 (18) Have a protective cumulative counter indicating the number of votes cast for each
27 person, and the votes cast for or against each public question which cannot be seen,

- 1 reset, or tampered with without unlocking a covering device by a key or other
2 security apparatus that cannot unlock any other part of the equipment, and which
3 prevents changes to the cumulative counter once the system has been put into
4 operation on the day of any election;
- 5 (19) Provide for the tabulating of votes at the precinct as required under KRS 117.275;
- 6 (20) Provide locks or other security apparatus by which the operation of the voting
7 equipment may be locked before the time for opening the polls and after the time
8 for closing the polls;
- 9 (21) Permit a voter to readily learn the method of operating it, to expeditiously cast a
10 vote for all candidates and on all questions of the voter's choice, and when operated
11 properly, register and record correctly and accurately every vote cast;
- 12 (22) Bear a number or other unique designation that will distinguish it from any other
13 voting equipment or voting system;
- 14 (23) Produce a real-time audit log record for the voting system, and produce a paper
15 record with a manual audit capacity which shall be available as an official record
16 for any recount conducted related to any primary or election in which the system is
17 used;
- 18 (24) Be accessible for individuals with impairments, including nonvisual accessibility
19 for the blind or visually impaired, in a manner that provides the same opportunity
20 for access and participation, including privacy and independence, as for other
21 voters;
- 22 (25) Prohibit voting equipment that tabulates or aggregates votes used in official results
23 from connecting to any network, including the internet, or communicating with any
24 device external to the voting system;
- 25 (26) Meet or exceed the standards for a voting system established by the Election
26 Assistance Commission, as amended from time to time, and those approved under
27 KRS 117.379; and

1 (27) Meet such other requirements as may be established by the State Board of Elections
2 in administrative regulations promulgated under KRS Chapter 13A to reflect
3 changes in technology to ensure the integrity and security of voting systems.

4 ➔Section 7. KRS 177.360 is amended to read as follows:

5 (1) Except as provided in subsection (5) of this section, the Department of Rural and
6 Municipal Aid shall allocate the funds set apart under KRS 177.320(1) for
7 construction, reconstruction, and maintenance of state-maintained secondary and
8 rural highways as follows:

9 (a) One-fifth (1/5) shall be apportioned equally among the one hundred twenty
10 (120) counties.

11 (b) One-fifth (1/5) shall be apportioned among the one hundred twenty (120)
12 counties on the basis of the ratio which the rural population of each county
13 bears to the total rural population of the state. "Rural population" as used here
14 means the population in a county outside cities, towns, and urban areas having
15 a population of twenty-five hundred (2,500) or more as shown by the most
16 recent decennial census of the United States Bureau of the Census, and county
17 population shall be determined by the most recent decennial census of the
18 United States Bureau of the Census.

19 (c) One-fifth (1/5) shall be apportioned among the one hundred twenty (120)
20 counties on the basis of the ratio that the public road mileage outside of cities,
21 towns, and urban areas having a population of twenty-five hundred (2,500) or
22 more bears to the total mileage of such roads for the entire state.

23 (d) Two-fifths (2/5) shall be apportioned among the one hundred twenty (120)
24 counties on the basis of the ratio which the square-mile rural area of the
25 county bears to the total square-mile rural area of the state. "Rural area" as
26 used here means that area of the county outside of cities, towns, and urban
27 areas having a population of twenty-five hundred (2,500) or more and shown

1 by the most recent decennial census of the United States Bureau of the
2 Census.

3 (2) A sum not exceeding six percent (6%) of the allocation provided by KRS
4 177.320(1) to each county shall be deducted at the beginning of each fiscal year and
5 adjusted quarterly to cover the maintenance, administrative, engineering, and other
6 costs of the program.

7 (3) Of the total amount apportioned by the provisions of this section, a sum not
8 exceeding six percent (6%) may be deducted and placed by the Department of
9 Rural and Municipal Aid in a special emergency account to be expended at the
10 direction of the commissioner to meet unforeseen emergencies on rural and
11 secondary roads and bridges.

12 (4) Apportionments as required by the provisions of this section shall be made on the
13 basis of revenue estimates supplied by the Finance and Administration Cabinet and
14 adjusted quarterly in accordance with the most recent revision of the estimates by
15 the Finance and Administration Cabinet.

16 (5) Any county eligible to receive county road aid moneys in accordance with KRS
17 177.320 and this section shall be required to submit a uniform financial information
18 report to the Department for Local Government in accordance with KRS 65.905
19 before any payment of county road aid funds shall be made. The Department for
20 Local Government shall notify the Department of Rural and Municipal Aid no later
21 than March 1 annually of any county that has not submitted a uniform financial
22 information report. The Department of Rural and Municipal Aid shall, upon
23 notification by the Department for Local Government, immediately suspend all
24 county road aid moneys to the county until the county complies with the provisions
25 of KRS 65.900 to 65.925 and submits the uniform financial information report to
26 the Department for Local Government. The Department for Local Government
27 shall immediately notify the Department of Rural and Municipal Aid to reinstate

1 county road aid moneys to any county affected by this subsection as soon as the
2 county submits the uniform financial information report.

3 **(6) In distributing county road aid funds received by a consolidated local government**
4 **established under KRS Chapter 67C, a consolidated local government shall**
5 **establish procedures to identify project needs in unincorporated areas that**
6 **prioritize consideration of the following factors:**

7 **(a) Population growth;**

8 **(b) Population density; and**

9 **(c) Economic development potential.**

10 ➔Section 8. KRS 67C.321 is amended to read as follows:

11 (1) **Subject to the provisions of this chapter,** any officer may be removed, suspended
12 for a period not to exceed thirty (30) days, laid-off, or reduced in grade by the chief.
13 **Before the discipline may be issued, the chief shall:** ~~for any cause which promotes~~
14 ~~the efficiency of the services, but before any such action is taken by the chief~~
15 ~~against any officer, the chief shall]~~

16 **(a) Furnish the officer**~~concerned]~~ with a written statement **describing the**
17 **charges being made against the officer, the evidence upon which the**
18 **charges are based, and the discipline the chief intends to issue; and**

19 **(b) Provide the officer the opportunity for a pre-disciplinary hearing, presided**
20 **over by the chief or the chief's designee, in which the officer may present**
21 **evidence and call and cross-examine witnesses in the officer's defense.**

22 **(2) After any pre-disciplinary hearing conducted under subsection (1)(b) of this**
23 **section, the chief or the chief's designee shall issue a written opinion setting forth**
24 **the final discipline issued against the officer. The officer may appeal the**
25 **discipline issued under this section to the board within ten (10) days of the**
26 **issuance of the written opinion.**

27 **(3) If the officer elects not to proceed with a pre-disciplinary hearing under**

1 subsection (1)(b) of this section, the discipline stated in the written statement
 2 required by subsection (1)(a) of this section shall become final ten (10) days after
 3 that statement is furnished to the officer.

4 (4) After any citizen makes a written, sworn complaint of misconduct concerning the
 5 actions of any police officer, if the chief of police determines not to file charges
 6 against the officer based on that complaint, ~~{of the reasons why the described~~
 7 ~~action is being taken. The officer may be reduced, removed, suspended for a period~~
 8 ~~not to exceed thirty (30) days, or laid off from the date the written statement of~~
 9 ~~reasons is served upon her or him. Each officer removed, suspended for a period not~~
 10 ~~to exceed thirty (30) days, laid off, or reduced in grade shall be allowed a period of~~
 11 ~~ten (10) days within which the officer may file a written answer to the charges and~~
 12 ~~the reasons which caused her or his suspension, removal, or reduction. This answer~~
 13 ~~shall be made a part of the official records of the police department. No trial or~~
 14 ~~examination of witnesses shall be required in any such case except at the discretion~~
 15 ~~of the chief. The chief shall likewise furnish a copy of the written charges and~~
 16 ~~reasons for her or his action to the board.~~

17 ~~(2) Any citizen who makes written, sworn charges of misconduct concerning the~~
 18 ~~actions of any police officer shall present the charges to the chief of police who~~
 19 ~~shall investigate the charges. The chief of police shall determine what action, if any,~~
 20 ~~shall be taken against the officer, subject to the limitations set out in this chapter.~~
 21 ~~{the citizen may appeal the determination of the chief of police to the board.~~

22 ➔Section 9. KRS 67C.323 is amended to read as follows:

23 In all cases provided for in KRS 67C.321, the discipline issued by the chief, upon final
 24 opinion issued by the chief, or the chief's designee following the pre-disciplinary
 25 hearing, shall be reviewed by the board as follows~~{action of the chief shall be final~~
 26 ~~except in the following cases}:~~

27 (1) All discipline consisting of either~~{Every action in the nature of}~~ a dismissal,

1 suspension, or demotion of a nonprobationary officer made by the chief shall be
2 subject to review by the board~~[at the request of any officer affected by KRS~~
3 ~~67C.301 to 67C.327].~~ **Discipline consisting of**~~[An appeal to the board of a]~~
4 dismissal, demotion, or a forty (40) hour or more suspension of a nonprobationary
5 officer shall be heard by the full board. The board shall give notice and hold a
6 ~~[public]~~ hearing. After the hearing, the board shall, **without the parties to the**
7 **appeal**, retire in executive session to discuss the evidence introduced at the hearing
8 and to make its determination and conclusion. While in executive session, the board
9 shall not receive any further evidence or communication from any source prior to
10 reaching its determination and conclusion. The board, while in executive session,
11 may request and receive legal advice from board counsel on specific legal issues
12 which may arise during deliberations. If a majority of the members of the board are
13 of the opinion that the **discipline issued by the chief is unsupported by a**
14 **preponderance of the evidence or that the discipline**~~[action of the chief]~~ is
15 unjustified,~~[or unsupported by proper evidence, the order of the chief may be set~~
16 ~~aside and revoked by the board, and]~~ the board may impose the penalty or
17 punishment it deems necessary and appropriate, if any; provided however, the
18 board shall not impose a penalty or punishment in excess of the **discipline issued**
19 **by**~~[action of]~~ the chief. No officer shall be removed or dismissed except as provided
20 for in this section.

21 (2) **All discipline consisting of**~~[An appeal to the board of]~~ a suspension of a
22 nonprobationary officer of less than forty (40) hours may be heard by the full board
23 or any hearing officer secured by the board. If the appeal **of the discipline** is heard
24 by a hearing officer, all rules established by the board relating to **disciplinary**
25 **hearings**~~[appeals of disciplinary actions]~~ shall be applicable. After the hearing, the
26 hearing officer shall complete and submit to the board, no later than thirty (30) days
27 after the hearing, a written recommended order which shall include his **or her**

1 findings of fact, conclusions of law, and recommended disposition of the appeal *of*
2 *the discipline*, which may include recommended penalties. The recommended order
3 shall also include a statement advising the ~~appealing~~ officer and chief fully of
4 their exception and appeal rights. A copy of the hearing officer's recommended
5 order shall be sent to the appealing officer and chief. Each party shall have fifteen
6 (15) days from the date the recommended order is mailed within which to file
7 exceptions to the recommendations with the board. The board shall consider the
8 record including the recommended order ~~and in~~ any exceptions duly filed to a
9 recommended order, and accept and adopt or reject or modify, in whole or in part,
10 the recommended order, or remand the ~~appeal of the~~ matter, in whole or in part, to
11 the hearing officer for further proceedings as appropriate. The final order of the
12 board shall be in writing. If the final order differs from the recommended order, it
13 shall include separate statements of findings of fact and conclusions of law. The
14 board shall render a final order in an administrative hearing within thirty (30) days
15 after receipt of the hearing officer's recommended order.

- 16 (3) (a) Every action of a dismissal, suspension, or demotion made by the board shall
17 be final, except that any person aggrieved may, within thirty (30) days after
18 the action, appeal to the Circuit Court of the county in which the board meets.
19 The board shall be named respondent as the consolidated local government
20 police force merit board, and service shall be had on the chairman of the
21 board. Notice of the appeal shall be given to the chief or the officer if not
22 already a party to the appeal as real parties in interest. The appeal taken to the
23 Circuit Court shall be docketed by the clerk as a civil action with appropriate
24 judicial review of an administrative action or decision.
- 25 (b) The judgment of the Circuit Court shall be subject to appeal to the Court of
26 Appeals. The procedure as to the appeal to the Court of Appeals shall be the
27 same as in any civil action.

1 → Section 10. KRS 67C.326 is amended to read as follows:

2 (1) As used in this section:

3 (a) "Citizen "means any individual who is not:

4 1. A member or supervisor within the law enforcement agency that
5 employs an officer; or

6 2. An elected or appointed official within the unit of government under
7 which the law enforcement agency that employs the officer is
8 organized;

9 (b) "Complaint" means any statement by a citizen, whether written or verbal,
10 that alleges any type of misconduct by an officer, including any statement
11 that is submitted or received anonymously;

12 (c) "Disciplinary action" means termination, demotion, a decrease in pay or
13 grade, suspension without pay, or a written reprimand;

14 (d) "Interrogation" means a formal investigative interview and does not mean
15 conversations or meetings of supervisory personnel and subordinate officers
16 that are not intended to result in disciplinary action, such as conversations
17 or meetings held for the purpose of providing corrective instruction,
18 counseling, or coaching; and

19 (e) "Misconduct" means any act or omission by that officer that violates
20 criminal law or the rules and administrative regulations of the department
21 or consolidated local government.

22 (2) In order to establish a minimum system of professional conduct ~~for~~ the police
23 officers of consolidated local governments of this Commonwealth, the following
24 standards ~~of conduct~~ are stated as the intention of the General Assembly to deal
25 fairly and establish~~set~~ administrative due process rights for police officers of the
26 consolidated local government and, at the same time, provide~~providing~~ a means
27 for redress by the citizens of the Commonwealth for wrongs allegedly done to them

1 by police officers covered by this section:

2 ~~(3)(a)~~ Any complaint taken from a citizen~~[any individual]~~ alleging misconduct on
3 the part of any police officer, as defined herein, shall be taken as follows:

4 ~~(a)(1)~~. If the complaint alleges criminal activity ~~by~~~~[on behalf of]~~ a police
5 officer, the allegations may be investigated without a signed, sworn complaint
6 of the citizen~~[individual]~~;

7 ~~(b)(2)~~ If the complaint alleges any other type of misconduct~~[abuse of official~~
8 ~~authority or a violation of rules and regulations of the department]~~, an
9 affidavit, signed and sworn to by the citizen~~[complainant]~~, shall be obtained,
10 except as provided by paragraph (c) of this subsection; or

11 ~~(c)(3)~~ If a complaint is required to be obtained and the citizen~~[individual]~~,
12 upon request, refuses to make allegations under oath in the form of an
13 affidavit, signed and sworn to, the department may investigate the allegations,
14 but shall bring charges under subsection (6) of this section against the police
15 officer only if the department can independently substantiate the allegations
16 absent the sworn statement of the citizen~~[complainant]~~;

17 ~~4. Nothing in this section shall preclude a department from investigating and~~
18 ~~charging an officer both criminally and administratively];~~

19 (4) (a) When an officer is accused of misconduct by any individual within the
20 department employing the police officer, including supervisors and elected
21 or appointed officials of the police officer's department, or by a citizen
22 complaint, the department shall conduct any investigation subject to the
23 provisions of subsection (5) of this section, formally charge the police
24 officer in accordance with subsection (6) of this section, and conduct a
25 hearing in accordance with subsection (7) of this section before any
26 disciplinary action is taken against the police officer.

27 (b) The provisions of this subsection shall not prevent the department from

1 suspending the police officer, with or without pay, during an investigation
 2 and pending the final disposition of any formal charges, except that a police
 3 officer suspended without pay shall be entitled to full back pay and benefits
 4 for the regular hours the officer would have worked if no formal charges
 5 were brought or the board finds the officer not guilty of the charges.

6 (5) (a) Any complaint filed by a citizen under subsection (3) of this section or any
 7 allegation of misconduct under subsection (4) of this section shall be
 8 investigated by the department or another designated law enforcement
 9 agency if the department determines that an investigation of the complaint
 10 or the alleged misconduct is warranted.

11 (b) No threats, promises, or coercions shall be used at any time against any police
 12 officer while he or she is a suspect in a criminal or departmental matter.
 13 Suspension from duty with or without pay, or reassignment to other than an
 14 officer's regular duties during the period, shall not be deemed coercion. Prior
 15 to or within twenty-four (24) hours after suspending the officer pending
 16 investigation or disposition of a complaint, the officer shall be advised in
 17 writing of the reasons for the suspension;

18 (c) No police officer shall be subjected to interrogation in a departmental matter
 19 involving alleged misconduct on his or her part, until forty-eight (48) hours
 20 have expired from the time the request for interrogation is made to the
 21 accused officer, in writing. The interrogation shall be conducted while the
 22 officer is on duty. The notice of interrogation shall include a statement of
 23 any reason for the interrogation and served on the officer by certified mail,
 24 return receipt requested, or by personal delivery~~The police officer may be~~
 25 ~~required to submit a written report of the alleged incident if the request is~~
 26 ~~made by the department no later than the end of the subject officer's next tour~~
 27 ~~of duty after the tour of duty during which the department initially was made~~

1 aware of the charges];

2 (d) **If requested by the department no later than the end of the subject officer's**
3 **next tour of duty after the tour of duty during which the department initially**
4 **was made aware of the allegations of misconduct, the officer shall submit a**
5 **written report of the alleged incident;**

6 (e) If a police officer is under arrest, or likely to be arrested, or a suspect in any
7 criminal investigation, he **or she** shall be afforded the same constitutional due
8 process rights that are accorded to any civilian, including but not limited to
9 the right to remain silent and the right to counsel, and shall be notified of
10 those rights before any questioning commences~~. Nothing in this section shall~~
11 ~~prevent the suspension with or without pay or reassignment of the police~~
12 ~~officer pending disposition of the charges];~~

13 **(6) (a)(e) If it is determined through investigation or other means that the facts**
14 **alleged in a citizen complaint or other allegation of misconduct warrant**
15 **disciplining the officer, the department shall provide the officer the written**
16 **statement required in subsection (1)(a) of Section 8 of this Act, which**~~[Any~~
17 ~~charge involving violation of any consolidated local government rule or~~
18 ~~regulation] shall **include**~~[be made in writing with]~~ sufficient specificity so as
19 to fully inform the police officer of the nature and circumstances of the
20 alleged violation in order that he **or she** may be able to properly defend
21 himself **or herself**.~~

22 (b) The **written statement**~~[charge]~~ shall be **signed by the chief, set out the**
23 **disciplinary action intended by the chief, and be** served on the police officer
24 in writing **by certified mail, return receipt requested, or by personal**
25 **delivery.**~~[;]~~

26 (c)~~(f)~~ When a police officer has been charged with **misconduct**~~[a violation of~~
27 ~~departmental rules or regulations]~~, no public statements shall be made

1 concerning the alleged violation by any person or persons of the consolidated
 2 local government or the police officer so charged, until final disposition of the
 3 charges.~~;~~

4 ~~(d)(g)~~ No police officer as a condition of continued employment by the
 5 consolidated local government shall be compelled to speak or testify or be
 6 questioned by any person or body of a nongovernmental nature.~~;~~ ~~and~~

7 ~~(Z)(h)~~ **Subject to Section 8 of this Act and KRS 67C.321 and KRS 67C.325, a**
 8 **hearing shall be conducted by the board to determine whether the discipline**
 9 **issued by the chief is supported by a preponderance of the evidence and whether**
 10 **the disciplinary action recommended by the chief is justified. In conducting a**
 11 **hearing**~~[When a hearing is to be conducted by any appointing authority, legislative~~
 12 ~~body, or other body as designated by the Kentucky Revised Statutes], the following~~
 13 administrative due process rights shall be recognized and these shall be the
 14 minimum rights afforded any police officer charged, **except as otherwise agreed to**
 15 **in writing by the officer and the employing agency:**

16 ~~(a)(1)~~ The accused police officer shall have been given at least **twelve (12)**
 17 **days' written**~~[seventy two (72) hours']~~ notice of any hearing. **The notice shall**
 18 **be served on the officer by certified mail, return receipt requested, or by**
 19 **personal delivery;**

20 ~~(b)(2)~~ Copies of any sworn statements or affidavits to be considered by the
 21 **board**~~[hearing authority]~~ and any exculpatory statements or affidavits shall be
 22 furnished to the police officer no less than **twelve (12) days**~~[seventy two (72)~~
 23 ~~hours]~~ prior to the time of any hearing;

24 ~~(c)(3)~~ **At**~~[H]~~ any hearing~~[-is]~~ based upon **the sworn**~~[a]~~ complaint of **a**
 25 **citizen**~~[an individual]~~, the **citizen**~~[individual]~~ shall be notified to appear at the
 26 time and place of the hearing by certified mail, return receipt requested, **or by**
 27 **personal delivery;**

1 ~~(d)~~^[4]. If the return receipt has been returned unsigned, or the
2 *citizen*~~[individual]~~ does not appear, except where due to circumstances
3 beyond his *or her* control he *or she* cannot appear~~[,]~~ at the time and place of
4 the hearing, any charge *resulting from a complaint* made by that
5 *citizen*~~[individual]~~ shall not be considered by the hearing authority and shall
6 be dismissed with prejudice;

7 ~~(e)~~^[5] The accused police officer shall have the right and opportunity to obtain
8 and have counsel present, and to be represented by the counsel;

9 ~~(f)~~^[6] The *board*~~[appointing authority, legislative body, or other body as~~
10 ~~designated by the Kentucky Revised Statutes]~~ shall subpoena and require the
11 attendance of witnesses and the production by them of books, papers, records,
12 and other documentary evidence at the request of the accused police officer or
13 the *chief*~~[charging party]~~. If any person fails or refuses to appear under the
14 subpoena, or to testify, or to attend, or produce the books, papers, records, or
15 other documentary evidence lawfully required, the *board*~~[appointing~~
16 ~~authority, legislative body, or other body as designated by the Kentucky~~
17 ~~Revised Statutes]~~ may report to the Circuit Court or any judge thereof the
18 failure or refusal, and apply for a rule. The Circuit Court, or any judge thereof,
19 may on the application compel obedience by proceedings for contempt as in
20 the case of disobedience of the requirements of a subpoena issued from the
21 court;

22 ~~(g)~~^[7] The accused police officer shall be allowed to *present*~~[have presented,]~~
23 witnesses and any documentary *or other relevant* evidence the police officer
24 wishes to provide to the *board*~~[hearing authority]~~, and may cross-examine all
25 witnesses called by the charging party;

26 ~~(h)~~^[8] For any police officer suspended with or without pay who is not given a
27 hearing as provided by this section within sixty (60) days *his or her appeal of*

1 the final opinion by the chief or the chief's designee, the discipline and
 2 charges issued by the chief~~[of any charge being filed, the charge then]~~ shall
 3 be dismissed with prejudice, shall~~[and]~~ not be considered by the board~~[any~~
 4 ~~hearing authority]~~ and the officer shall be reinstated with full back pay and
 5 benefits; ~~[and]~~

6 (i) Any police officer who has been suspended without pay who is found not
 7 guilty of the charges by the board shall be reinstated with the full back pay
 8 and benefits for the regular hours he or she would have worked;

9 ~~(j)~~⁽⁹⁾ The failure to provide any of the rights or to follow the provisions of this
 10 section may be raised by the officer with the hearing authority. The hearing
 11 authority shall not exclude proffered evidence based on failure to follow the
 12 requirements of this section but shall consider whether, because of the failure,
 13 the proffered evidence lacks weight or credibility and whether the officer has
 14 been materially prejudiced; and

15 (k) To the extent the provisions of KRS 61.805 to 61.850 are applicable, the
 16 board may conduct the hearing required by this subsection in a closed
 17 session unless the police officer requests of the board, in writing at least
 18 three (3) days prior to the hearing, that the hearing be open to the public.

19 (8) As the provisions of this section relate to a minimum system of professional
 20 conduct, nothing in this section shall be interpreted or construed to:

21 (a) Limit or in any way affect any rights previously afforded to a police officer
 22 of the consolidated local government by statute, collective bargaining or
 23 working agreement, or legally adopted ordinance;

24 (b) Preclude a consolidated local government from investigating and charging
 25 a police officer both criminally and administratively; or

26 (c) Prevent the suspension, with or without pay or reassignment, of a police
 27 officer during an investigation and pending the final disposition of charges

1 ~~{(2) Any police officer who shall be found guilty by any hearing authority of any~~
2 ~~charge may bring an action in the Circuit Court in the county in which the consolidated~~
3 ~~local government is located to contest the action of that hearing authority, and the action~~
4 ~~shall be tried as an original action by the court.~~

5 ~~(3) The judgment of the Circuit Court shall be subject to appeal to the Court of~~
6 ~~Appeals. The procedure as to appeal to the Court of Appeals shall be the same~~
7 ~~as in any civil action. As the provisions of this section relate to a minimum~~
8 ~~system of professional conduct, nothing in this section shall be construed as~~
9 ~~limiting or in any way affecting any rights previously afforded to police~~
10 ~~officers of the consolidated local government by statute, ordinance, or~~
11 ~~working agreement].~~

12 ➔Section 11. (1) Each consolidated local government shall establish, support,
13 and maintain through December 31, 2024, a Property Valuation Review Commission.
14 The purpose of this commission shall be to review appropriate records to ensure that the
15 property valuation administrator of the county containing the consolidated local
16 government assesses property within the county consistently and that property types or
17 classifications are assessed uniformly within the boundaries of the consolidated local
18 government for all taxable property assessed as of January 1, 2023. The commission shall
19 identify the various property types or classifications that exist within the boundaries of
20 the county containing the consolidated local government and review sufficient sample
21 properties to determine consistency and uniformity. The property valuation administrator
22 shall cooperate with the requests of the commission for the purposes of this section. The
23 commission shall not disclose any confidential or proprietary information provided to it
24 by the property valuation administrator.

25 (2) The commission shall be composed of seven (7) members appointed by the
26 mayor as follows:

27 (a) Three (3) members recommended by an association of realtors active within

1 the county containing the consolidated local government of which one (1) shall be a real
2 estate broker;

3 (b) One (1) member recommended by a commercial real estate association active
4 within the county containing the consolidated local government;

5 (c) Two (2) members representing a national association of real estate brokers,
6 one (1) of which shall be:

7 1. Recommended by a residential appraisal business entity that commonly
8 makes residential appraisals within the county containing the consolidated local
9 government; and

10 2. Selected and appointed by the mayor of the consolidated local government
11 under the general authority of this subsection; and

12 (d) One (1) member recommended by a local association exclusively representing
13 cities within the county containing the consolidated local government.

14 (3) Each entity set out in subsection (2) of this section shall make its
15 recommendations for appointments within thirty (30) days of the effective date of this
16 Act. The mayor shall complete the appointment no later than sixty (60) days after the
17 effective date of this Act. Vacancies shall be filled in the same manner as the original
18 appointments and as soon as possible after the vacancy.

19 (4) Each member of the commission shall be qualified to evaluate property for tax
20 assessment purposes.

21 (5) Commission members shall be entitled only to reimbursement from the
22 consolidated local government for actual expenses incurred in the performance of their
23 duties as commission members.

24 (6) The commission shall elect from its members one (1) member to serve as
25 chair, one (1) member to serve as vice-chair, and one (1) member to serve as secretary.

26 (7) If the commission selects a property for review in which a commission
27 member has a personal or private interest, that member shall disclose his or her interest to

1 the commission and shall refrain from evaluating that property. Any such disclosure shall
2 be made a public record of the commission.

3 (8) The commission shall make a report of its findings and transmit those findings
4 to the Legislative Research Commission, the mayors and metro councils of the
5 consolidated local governments, and the Finance and Administration Cabinet no later
6 than December 31, 2024, after which the commission shall be dissolved.

7 ➔Section 12. (1) No consolidated local government shall amend its land
8 development code zoning classifications in its land development code to change
9 permitted, conditional, or any other uses involving residential uses or change the
10 characteristics of those uses that could increase the allowable density of:

11 (a) Residential units per acre or any other unit describing land size; or

12 (b) Inhabitants of any residential units;

13 in any zoning district classifications after the effective date of this Act and prior to April
14 15, 2025. Map amendments using the zoning district classifications in existence as of the
15 effective date of this Act shall be allowed.

16 (2) (a) The mayor of each consolidated local government within the
17 Commonwealth shall conduct a review of:

18 1. The requirements in the Kentucky Revised Statutes relating to the makeup of
19 the planning commission membership as set out in KRS 100.137 and the processes for
20 amendments to the zoning map and any other land use management requirements set out
21 in KRS Chapter 100 that the consolidated local government is required to follow; and

22 2. Its land development code relative to all zoning classifications involving
23 residential uses.

24 (b) In reviewing the requirements of the Kentucky Revised Statutes relating to
25 paragraph (a)1. of this subsection, the mayor shall consider what changes to the statutes
26 will result in the most efficient uses of the resources of the consolidated local government
27 while providing the residents and property owners of the consolidated local government

1 with ample opportunity to provide input into the planning and zoning process.

2 (c) In reviewing the land development code relating to paragraph (a)2. of this
3 subsection, the mayor shall consider what changes to the land development code will
4 provide the best results in providing present and prospective residents of the consolidated
5 local government with housing that can meet their financial means while ensuring that
6 the financial investment of property owners and the quality of life for all is enhanced.

7 ➔Section 13. Sections 4, 5, 6, 8, 9, and 10 of this Act take effect January 1, 2025.

8 ➔Section 14. Whereas it is imperative to make the appointments in a timely
9 manner, give the commission time to perform its task within the time limits, allow the
10 mayor to commence the required reviews, and initiate the suspension of specified
11 amendments of the land development code made by the consolidated local government,
12 an emergency is declared to exist, and Sections 11 and 12 of this Act take effect upon its
13 passage and approval by the Governor or upon its otherwise becoming a law.