

CHAPTER 209

(HB 773)

AN ACT relating to the Prosecutors Advisory Council.

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

➔Section 1. KRS 15.705 is amended to read as follows:

- (1) For the purpose of administration of the unified prosecutorial system, there is hereby created the Prosecutors Advisory Council, hereafter referred to as the council.
- (2) The council shall consist of *thirteen (13)*~~*nine (9)*~~ members who shall be residents of Kentucky and shall include:

(a) The Attorney General *or his or her designee*;

(b) *Five (5)*~~*three (3)*~~ Commonwealth's attorneys:~~[-]~~

1. One (1) from *the First Judicial Circuit to the Nineteenth Judicial Circuit*~~;~~~~counties containing a consolidated local government, a city with a population of twenty thousand (20,000) or more based on the most recent federal decennial census, or an urban county government,~~
2. One (1) from *the Twentieth Judicial Circuit to the Thirty-eighth Judicial Circuit*~~;~~~~counties containing a city with a population equal to or greater than eight thousand (8,000) but less than twenty thousand (20,000) based on the most recent federal decennial census, and~~
3. One (1) from *the Thirty-ninth Judicial Circuit to the Fifty-seventh Judicial Circuit*~~; and~~~~the other counties,~~
4. *Two (2) from any judicial circuit who shall serve at large*;

Each of whom shall be *elected by the membership of*~~appointed by the Governor from a list of three (3) names for each Commonwealth's attorney position submitted by~~ the Commonwealth's Attorneys Association;~~and~~

(c) *Five (5)*~~*three (3)*~~ county attorneys:~~[-]~~

1. One (1) from *a county with a population equal to or greater than seventy-five thousand (75,000) based on the most recent federal decennial census*~~;~~~~counties containing a consolidated local government, a city with a population equal to or greater than twenty thousand (20,000) based on the most recent federal decennial census, or an urban county government,~~
2. One (1) from *a county with a population equal to or greater than twenty-five thousand (25,000) but less than seventy-five thousand (75,000)*~~;~~~~counties containing a city with a population equal to or greater than eight thousand (8,000) but less than twenty thousand (20,000)~~ based on the most recent federal decennial census;~~and~~
3. One (1) from *a county with a population of less than twenty-five thousand (25,000) based on the most recent federal decennial census*~~; and~~~~the other counties,~~
4. *Two (2) from any other county who shall serve at large*;

Each of whom shall be *elected by the membership of*~~appointed by the Governor from a list of three (3) names for each county attorney position submitted by~~ the County Attorneys Association; and

(d) Two (2) nonattorney citizen members:

1. *One (1) appointed by the Attorney General from a list of three (3) names submitted by the Commonwealth's Attorneys Association; and*
2. *One (1) appointed by the Attorney General from a list of three (3) names submitted by the County Attorneys Association.*

The Attorney General shall serve during his *or her* term of office and the other members shall serve *for a term of two (2) years*~~at the pleasure of the Governor~~. *A Commonwealth's attorney or a county attorney shall not serve more than two (2) consecutive terms.*

- (3) The Attorney General *or his or her designee* shall be the *chair*~~[chairman]~~ of the council. *Seven (7)*~~[Five (5)]~~ members shall constitute a quorum for the conduct of business. The council shall promulgate annually a schedule of meetings. Special meetings may be called by the *chair*~~[chairman]~~ or *seven (7)*~~[five (5)]~~ members of the council. A minimum of ten (10) days' notice must be given prior to the call of a special meeting. ~~The~~~~[Such a]~~ notice may be waived by a majority of the council.
- (4) (a) The council shall be responsible for, but not limited to:~~;~~
1. The preparation of the budget of the unified prosecutorial system of the Commonwealth of Kentucky;~~and~~
2. The continuing legal education and program development of the unified prosecutorial system of Kentucky; *and*
3. Proposing and adopting a code of ethics for prosecutors within the unified prosecutorial system.
- (b) *The council shall provide the proposed budget of the unified prosecutorial system of the Commonwealth of Kentucky to the Interim Joint Committee on Appropriations and Revenue each biennium.*
- (5) Each nonattorney citizen member of the council shall receive twenty-five dollars (\$25) per day for attending each meeting. All council members shall be reimbursed for actual expenses incurred in the performance of their duties.

➔Section 2. The newly composed council shall have all members elected or appointed to begin serving on January 1, 2023.

Veto Overridden and Signed by Secretary of State April 14, 2022.