

**64.350 Return of fees to counties whose officers pay fees into State Treasury
-- Applicability of KRS 64.368 if population decreases below 70,000.**

- (1) In counties having a population of seventy thousand (70,000) or more, the salaries of the county clerks and sheriffs and of their deputies and all necessary office expenses, including the equipping, furnishing, maintaining, and operation of the offices, shall be paid out of the State Treasury in amounts not to exceed seventy-five percent (75%) of the fees collected by the officers respectively, and received into the Treasury; and twenty-five percent (25%) of the fees collected by the officers respectively, and received into the State Treasury shall be paid in the manner provided by law for the payment of other claims against the state to the fiscal courts, urban-county governments, or consolidated local governments of the respective counties. The amount of twenty-five percent (25%) of the fees collected by the jailers during each calendar year shall be paid to the fiscal courts, urban-county governments, or consolidated local governments of the respective counties by April 1 of each year succeeding the calendar year during which the fees were received by the Finance and Administration Cabinet. The amount of twenty-five percent (25%) of the fees collected by the county clerks and sheriffs during each calendar year shall be paid to the fiscal courts, urban-county governments, or consolidated local governments of the respective counties quarterly no later than April 15, July 15, October 15, and January 15. Each payment shall be for the preceding three (3) months during which fees were received by the Finance and Administration Cabinet. Adjustments necessary to insure that exactly twenty-five percent (25%) of fees collected are returned to the fiscal courts, urban-county governments, or consolidated local governments shall be made in the January 15 payment. After payment of the salaries and expenses specified in this subsection, any remaining balance of the seventy-five percent (75%) of the fees collected by the officers respectively at the end of their official term shall be paid by the State Treasurer to the fiscal courts, urban-county governments, or consolidated local governments of the respective counties, subject to the provisions of subsection (2) of this section.
- (2) Notwithstanding the provisions of subsection (1) of this section, all sums received into the State Treasury and representing seventy-five percent (75%) of the fees collected by the sheriffs specified in subsection (1) of this section from any county or consolidated local government in which a metropolitan correctional services department has been established shall be expended from the State Treasury for the payment of the salaries and costs specified in subsection (1) of this section, and in Section 106 of the Constitution of Kentucky. After payment of the salaries and costs specified in this subsection, the remaining balance representing fees collected by sheriffs shall be paid by the State Treasury to the fiscal court or to the consolidated local government of the county in which a metropolitan correctional services department has been established by April 1 of each year succeeding the calendar year in which the fees were received by the Finance and Administration Cabinet.
- (3) If a county's population that equaled or exceeded seventy thousand (70,000) is less than seventy thousand (70,000) after the most recent decennial census, then the provisions of KRS 64.368 shall apply.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 71, sec. 4, effective July 15, 2002; and ch. 346, sec. 20, effective July 15, 2002. -- Amended 1994 Ky. Acts ch. 508, sec. 19, effective July 15, 1994. Amended 1992 Ky. Acts ch. 220, sec. 6, effective January 1, 1994. -- Amended 1986 Ky. Acts ch. 374, sec. 19, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 70, sec. 1, effective July 15, 1982; and ch. 385, sec. 17, effective July 1, 1982. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 34, effective January 2, 1978. -- Amended 1974 Ky. Acts ch. 59, sec. 2. -- Amended 1972 Ky. Acts ch. 100, sec. 9. -- Amended 1968 Ky. Acts ch. 152, sec. 30. -- Created 1942 Ky. Acts ch. 84, sec. 1.

Legislative Research Commission Note (7/15/2002). This section was amended by 2002 Ky. Acts chs. 71 and 346, which do not appear to be in conflict and have been codified together.