

### **315.155 Removal of board members.**

- (1) The Governor may remove a member of the board for any of the following reasons:
  - (a) Refusal or inability of a board member to perform his duties as a member of the board in an efficient, responsible and professional manner;
  - (b) Misuse of the office by a member of the board to obtain personal, pecuniary, or material gain or advantage for himself or another;
  - (c) Willful violation of any provision of KRS Chapter 315 or any rule or regulation promulgated thereunder.
- (2) Any person may file a complaint with the executive director of the board against a board member alleging specific facts which constitute grounds for removal from the board. The executive director shall transmit a copy of any such complaint to the Governor, the president of the board and the accused board member. Upon a written recommendation of the Governor or two-thirds (2/3) of the members of the board, a hearing shall be conducted before an impartial hearing officer pursuant to KRS Chapter 13B.
- (3) The hearing officer shall submit a transcript of the hearing to the Governor with a recommendation based on evidence presented in the hearing. The Governor shall review the transcript to determine if the evidence supports the recommendation, and he shall enter a finding in accordance with such determination.
- (4) In the event a board member is removed, his removal shall be effective as of the date of the Governor's finding and a vacancy shall be deemed to exist. Any board member so removed shall be entitled to appeal the removal in the Franklin Circuit Court.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 257, sec. 18, effective July 15, 1996. --  
Created 1982 Ky. Acts ch. 191, sec. 19, effective July 15, 1982.