

67.918 Question of unification to be submitted to voters -- Adoption of unification plan after approval -- Prohibition against placing rejected plan on ballot for five years.

- (1) The question whether the unification plan shall be adopted shall be filed with the county clerk not later than the second Tuesday in August preceding the day of the next regular election. The plan shall be advertised at least once not later than ninety (90) days before the regular election at which the voters will be asked to approve or disapprove the adoption of the unification plan.
- (2) The question to be submitted to the voters shall read as follows:

"Are you in favor of unifying the city (or cities) of _____ and _____ County into a single government according to the unification plan adopted by the Unification Review Commission?"
- (3) (a) Subject to the restrictions in paragraph (b) of this subsection, for the unification plan to be adopted, it shall require both a majority of those residents voting within the unincorporated area of the county to vote in favor of its adoption, and:
 1. A majority of those residents voting within the city containing the largest population in the county, based on the most recent decennial census, to vote in favor of its adoption; or
 2. A majority of those residents voting, pursuant to paragraph (b) of this subsection, within cities that together contain at least fifty percent (50%) of the population residing within the incorporated areas of the county, based on the most recent decennial census, to vote in favor of its adoption.
- (b)
 1. The votes shall be counted within each city to determine whether the majority of voters within each city are in favor of the adoption of the unification plan.
 2. Each city where the majority of those voting are in favor of adopting the unification plan shall participate in the unified local government, subject to the requirements of paragraph (a) of this subsection.
 3. Each city where the majority of those voting are not in favor of adopting the unification plan:
 - a. Shall not participate in the unified local government;
 - b. Shall remain incorporated unless dissolved in accordance with KRS 81.094 and shall continue to exercise all powers and perform the functions permitted by the Constitution and general laws of the Commonwealth of Kentucky applicable to the cities of the class to which they have been assigned; and
 - c. Shall allow eligible voters within the city to vote for the chief executive officer of the unified local government and the relevant legislative body member or members of the unified local government for the area including the nonparticipating city.

- (4) The votes shall be counted, returns made, and canvassed in accordance with the provisions of KRS Chapters 116 to 121 governing elections, and the results shall be certified by the county board of election commissioners to the county clerk. If a majority of those voting on the issue are in favor of forming a unified local government, the county board of election commissioners shall enter the fact of record and the unified local government shall be organized as provided in the unification plan.
- (5) An adopted unification plan shall take effect January 1 following the election of officers to fill elective offices created by the unification plan. Officers shall be elected in the regular election in the next even-numbered year following adoption of the unification plan.
- (6) If the question whether the unification plan shall be adopted is rejected by a majority of the electorate, the question is defeated and cannot be voted on again for five (5) years from the date of certification of the election results.

Effective: January 1, 2013

History: Amended 2012 Ky. Acts ch. 63, sec. 8, effective January 1, 2013. -- Created 2006 Ky. Acts ch. 246, sec. 10, effective July 12, 2006.