

**42.4592 Allocation of remaining moneys in local government economic development fund.**

- (1) Moneys remaining in the local government economic development fund following the transfer of moneys to the local government economic assistance fund provided for in KRS 42.4585 shall be allocated as follows:
  - (a) Thirty-three and one-third percent (33-1/3%) shall be allocated to each coal producing county on the basis of the ratio of total tax collected in the current and preceding four (4) years on coal severed in each respective county to the total tax collected statewide in the current and four (4) preceding years;
  - (b) Thirty-three and one-third percent (33-1/3%) shall be allocated quarterly to each coal-producing county on the basis of the following factors, which shall be computed for the current and four (4) preceding years, and which shall be equally weighted:
    1. Percentage of employment in mining in relation to total employment in the respective county;
    2. Percentage of earnings from mining in relation to total earnings in the respective county; and
    3. Surplus labor rate; and
  - (c) Thirty-three and one-third percent (33-1/3%) shall be reserved for expenditure for industrial development projects benefiting two (2) or more coal-producing counties. For purposes of this paragraph, "coal-producing county" shall mean a county which has produced coal in the current or any one of the four (4) preceding years.
- (2)
  - (a) For purposes of paragraph (b) of subsection (1) of this section, "percentage of employment in mining" and "percentage of earnings from mining" shall be the percentages published for the latest available five (5) year period by the Bureau of Economic Analysis in the United States Department of Commerce; "surplus labor rate" shall be the rate published for the latest available five (5) year period by the Office of Employment and Training of the Department of Workforce Investment in the Education and Workforce Development Cabinet, as provided in paragraph (b) of this subsection.
  - (b)
    1. Each year the Office of Employment and Training shall estimate surplus labor for each county and for the Commonwealth and shall annually publish an estimate of the surplus labor rate for each county and the Commonwealth.
    2. The estimate of surplus labor for each county and for the Commonwealth shall be made using the best practical method available at the time the estimates are made. In determining the method to be adopted, the Office of Employment and Training may consult with knowledgeable individuals, including but not limited to the Office of the United States Bureau of Labor Statistics, state and national researchers, state and local officials, and staff of the Legislative Research Commission. The description of the method used to estimate surplus

labor shall be reported in each annual publication provided for in subparagraph 1. of this paragraph.

3. For purposes of this section, "surplus labor" means the total number of residents who can be classified as unemployed or as discouraged workers, and "surplus labor rate" means the percentage of the potential civilian labor force which is surplus labor.
- (3) The funds allocated under the provisions of paragraphs (a) and (b) of subsection (1) of this section shall retain their identity with respect to the county to which they are attributable, and a separate accounting of available moneys within the fund shall be maintained for the respective counties. Accounting for funds allocated under the provisions of this section shall be by the Department for Local Government.

**Effective:** June 25, 2013

**History:** Amended 2013 Ky. Acts ch. 49, sec. 1, effective June 25, 2013. -- Amended 2010 Ky. Acts ch. 117, sec. 26, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 11, sec. 8, effective June 25, 2009. -- Amended 2007 Ky. Acts ch. 47, sec. 20, effective June 26, 2007. -- Amended 2006 Ky. Acts ch. 211, sec. 10, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 69, sec. 11, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 271, sec. 4, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 224, sec. 16, effective July 15, 1994. -- Created 1992 Ky. Acts ch. 107, sec. 7, effective July 1, 1992.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (5) at 612.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (6) at 613.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (7) at 613.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (8) at 613.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (9) at 613.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (10) at 613.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (11) at 613.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (12) at 613.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (13) at 613.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (14) at 613.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (15) at 614.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (16) at 614.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (17) at 614.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch.

117, Pt. I, A, 13, (18) at 614.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, A, 13, (26) at 615.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, E, 3, (2) at 637.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, K, 8, (1) at 658.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, K, 8, (2) at 658.