

1 AN ACT relating to consolidated local governments.

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

3 ➔Section 1. KRS 67C.103 is amended to read as follows:

- 4 (1) The legislative authority of a consolidated local government, except as otherwise
5 specified in KRS 67C.101 to 67C.137, shall be vested in a consolidated local
6 government council. The members of the council shall be nominated and elected by
7 district. There shall be only one (1) council member elected from each council
8 district.
- 9 (2) There shall be twenty-six (26) council districts. The initial boundaries, population,
10 and numerical designation of the council districts shall be as specified by KRS
11 67C.135. The population of the council districts shall be as nearly equal as is
12 reasonably possible. For any newly consolidated local governments whose officials
13 take office in 2003, upon taking office, the legislative council may take action to
14 adjust the boundaries and population of the districts in order to equalize the
15 population of the districts which may have changed as a result of recent census
16 information. Any changes made to alter the boundaries of council districts shall be
17 based on the population of the county as determined by the most recent United
18 States Census or official census estimates as provided by the United States Bureau
19 of the Census.
- 20 (3) Following the official publication of each decennial census by the United States
21 Bureau of the Census for the area embraced by a consolidated local government, the
22 council shall adopt an ordinance, if necessary, to redistrict the council districts. A
23 redistricting ordinance shall provide for the distribution of population among the
24 council districts as nearly equal as is reasonably possible. Every council district
25 shall be compact and contiguous and shall respect existing neighborhood,
26 community, and city boundaries whenever possible.
- 27 (4) The consolidated local government council members shall serve for a term of four

- 1 (4) years beginning on the first Monday in January following their election, except
2 that the initial election of council members shall be in a manner as to provide for
3 staggered terms for council members. At the initial election of the members of a
4 consolidated local government council, those representing even-numbered districts
5 shall be elected for a two (2) year term. Those representing odd-numbered districts
6 shall be elected for a four (4) year term. Thereafter, all council members shall be
7 elected for four (4) year terms.
- 8 (5) The members of a consolidated local government council shall be nominated and
9 elected from the district in which they reside in partisan elections. After the initial
10 terms of office of the first elected council members, council members shall be
11 elected in the same election years as other local government officials as regulated by
12 the regular election laws of the Commonwealth and as provided in subsection (4) of
13 this section.
- 14 (6) No person shall be eligible to serve as a member of a consolidated local government
15 council unless he or she is at least eighteen (18) years old, a qualified voter, and a
16 resident within the territory of the consolidated local government and the district
17 that he or she seeks to represent for at least one (1) year immediately prior to the
18 person's election. A council member shall continue to reside within the district from
19 which he or she was elected throughout the term of office.
- 20 (7) The presiding officer of a consolidated local government council shall be a
21 president who shall be chosen annually by a majority vote of the entire council from
22 among its members at the first meeting of the council in January. The council
23 president has the right to introduce any resolution or recommend any ordinance and
24 shall be entitled to vote on all matters.
- 25 (8) The consolidated local government council shall upon notice meet within seven (7)
26 days after its members have taken office, and shall thereafter hold at least one
27 (1)~~two (2)~~ regular meeting~~meetings~~ per month. No newspaper notice shall be

1 required for regular or special meetings of the consolidated local government
2 council. However, notice of all meetings of the council and all meetings of
3 committees of the council shall be held pursuant to KRS 61.805 to 61.850.

4 (9) A majority of the members of the consolidated local government council shall
5 constitute a quorum, but a smaller number may adjourn from day to day. The
6 consolidated local government council may enforce the attendance of members by
7 rules or ordinances with appropriate fines. The mayor or two-thirds (2/3) of the
8 entire membership of the council may call a special meeting at any time. Meetings
9 shall be held in such places in the county as are provided by ordinance, and the
10 place of meetings shall not be changed except by an ordinance for which two-thirds
11 (2/3) of the members of the consolidated local government council have voted.

12 (10) The council shall determine its own rules and order of business, and keep and
13 provide a public record of its proceedings. The council shall provide for the
14 publication of all ordinances in a composite code of ordinances.

15 (11) Council ordinances that prescribe penalties for their violation shall be enforced
16 through the entire area of the consolidated local government unless:

17 (a) Otherwise provided by statute; or

18 (b) The legislative body of any city within the consolidated local government area
19 has adopted an ordinance pertaining to the same subject matter that is the
20 same as or more stringent than the standards set forth in the consolidated local
21 government's ordinance.

22 (12) In the case of a vacancy on the consolidated local government council by reason of
23 death, resignation, or removal, the council by majority vote of the membership of
24 the council shall elect a qualified resident of the council district not later than thirty
25 (30) days after the date the vacancy occurs. Should the council fail to elect, by
26 majority vote of the membership of the council, a qualified person to fill the
27 vacancy within thirty (30) days, the mayor of the consolidated local government

1 shall fill the vacancy by appointment of a qualified person for the unexpired term.

2 (13) All legislative powers of a consolidated local government are vested in the
3 consolidated local government council. The term "legislative power" is to be
4 construed broadly and shall include the power to:

5 (a) Enact ordinances, orders, and resolutions, and override a veto of the mayor by
6 a two-thirds (2/3) majority of the membership of the legislative council;

7 (b) Review the budgets of and appropriate money to the consolidated local
8 government;

9 (c) Adopt a budget ordinance;

10 (d) Levy taxes, subject to the limitations of the Constitution and the laws of the
11 Commonwealth of Kentucky;

12 (e) Establish standing and temporary committees;~~and~~

13 (f) Make independent audits and investigations concerning the affairs of the
14 consolidated local government and any board or commission that:

15 1. Is composed of members who are appointed by the mayor and
16 approved by the legislative council; or

17 2. Has a budget that is equal to or greater than one million dollars
18 (\$1,000,000.00), except that this subparagraph shall not apply to any
19 fee officer elected within the consolidated local government.

20 (14) (a) The consolidated local government council shall establish a Government
21 Oversight and Audit Committee. This committee shall be:

22 1. Composed of members from each of the two (2) largest political
23 caucuses in the legislative council;

24 2. Appointed by the chairs of their respective caucuses; and

25 3. Composed on the basis of the proportion of each of the two (2) caucus'
26 total membership as compared to the total membership of the
27 legislative council. Any fractional proportions shall be rounded in the

1 *favor of the smallest caucus' membership on the committee.*

2 *(b) The committee shall have the power to:*

3 *1. Compel testimony and the submission of work papers or documents;*

4 *2. Issue subpoenas to compel any officer of or appointee to a board or*
5 *commission described in paragraph (f) of subsection (13) of this*
6 *section or any department or division of the consolidated local*
7 *government to appear before the committee and to compel the*
8 *submission to the committee of any work papers or documents*
9 *pertinent to an independent audit or investigation. Any subpoenas*
10 *issued or testimony compelled shall be subject to any relevant statutes*
11 *concerning privacy. Testimony subject to KRS 61.810 shall only be*
12 *taken in executive session. The right to privacy or the requirement that*
13 *testimony be taken in executive session may be waived by the person*
14 *or entity being subpoenaed or compelled to testify;*

15 *3. Petition the appropriate Circuit Court to compel obedience by*
16 *proceedings for contempt as in the case of disobedience of a subpoena*
17 *issued from the Circuit Court or a refusal to testify therein, if any*
18 *officer or appointee fails or refuses to testify or furnish the work*
19 *papers or documents subpoenaed;*

20 *4. Administer oaths to witnesses appearing before the committee when*
21 *the committee deems the administration of an oath necessary and*
22 *advisable as provided by law. This decision to administer oaths shall*
23 *be taken by a majority vote of the committee of the legislative council;*
24 *and*

25 *5. Recommend the removal of any appointee to a board or commission*
26 *described in paragraph (f) of subsection (13) of this section.*

27 *(c) The legislative council of the consolidated local government shall adopt by*

1 resolution any process or procedures deemed necessary for the
2 administration of subpoenas and oaths.

3 (d) The legislative council of the consolidated local government may only act to
4 remove an appointee to a board or commission described in paragraph (f) of
5 subsection (13) of this section upon the recommendation of the Government
6 Oversight and Audit Committee.

7 (e) The Government Oversight and Audit Committee shall have the power to
8 issue subpoenas or administer oaths. Except as provided in subsection (7) of
9 Section 7 of this Act, the legislative council of the consolidated local
10 government shall not delegate those powers to any other entity or entities
11 not a part of the legislative council of the consolidated local government.

12 (15) The consolidated local government council shall be known as the legislative council
13 of/..... County Metro Government, which shall be a
14 combination of the names of the largest city in existence in the county on the date of
15 the adoption of the consolidated local government and the county.

16 ➔Section 2. KRS 67C.105 is amended to read as follows:

17 (1) All executive and administrative power of the government shall be vested in the
18 office of the mayor. The term "executive and administrative power" shall be
19 construed broadly. The mayor shall be the chief executive of a consolidated local
20 government formed under the provisions of KRS 67C.101 to 67C.137.

21 (2) (a) The mayor shall be nominated and elected in partisan elections for a term of
22 four (4) years in the same election years as other local government officials as
23 regulated by the regular election laws of the Commonwealth.

24 (b) The mayor shall assume office on the first Monday in January following his or
25 her election. He or she shall serve until a successor qualifies.

26 (c) The mayor ~~and~~ may serve for no more than three (3) consecutive terms,
27 after which time he or she shall be prohibited from running for election or

1 being appointed as mayor for a period of at least four (4) years.

2 (3) The mayor shall be at least twenty-one (21) years old, a qualified voter, a member
3 of his or her political party, and a resident of the territory encompassing the
4 consolidated local government for a period of at least one (1) year prior to his or her
5 election as mayor. The mayor shall continue to reside within the geographic
6 boundary of the consolidated local government throughout his or her term of office.

7 (4) Except as otherwise provided in KRS 67C.101 to 67C.137, the mayor shall have all
8 the power and authority that the mayor of the city of the first class and the county
9 judge/executive exercised under the Constitution and the general laws of the
10 Commonwealth of Kentucky prior to the consolidation.

11 (5) The mayor is authorized to supervise, administer, and control all departments and
12 agencies as may be created by KRS 67C.101 to 67C.137 or created by ordinance.
13 The mayor shall appoint all department and agency directors. The appointees shall
14 serve at the pleasure of the mayor. Specifically, the mayor shall:

15 (a) Prepare and submit an annual report coinciding with the fiscal year, on the
16 state of the consolidated local government, to be presented at a public meeting
17 of the council;

18 (b) Submit an annual budget *no fewer than sixty (60) days prior to the end of the*
19 *fiscal year;*

20 (c) Oversee the administration and implementation of the adopted budget
21 ordinance;

22 (d) Enforce the ordinances of the consolidated local government;

23 (e) Supervise all officers, agents, employees, cabinets, departments, offices,
24 agencies, functions, and duties of the consolidated local government;

25 (f) Call special meetings of the consolidated local government council;

26 (g) Appoint and remove his or her own staff at his or her own pleasure;

27 (h) Execute written contracts, *subscriptions, agreements,* or obligations of the

1 consolidated local government;~~and~~

2 (i) Approve or veto ordinances and resolutions adopted by the consolidated local
3 government council;

4 (j) Submit any written contracts, subscriptions, agreements, or obligations
5 exceeding the small purchase amount established pursuant to KRS 45A.385
6 in a resolution to the legislative council for its approval or its disapproval.
7 Those written contracts, subscriptions, agreements, or obligations awarded
8 to the lowest evaluated bid or proposal pursuant to KRS 45A.343 to 45A.460
9 shall be excluded, unless the legislative council changes the threshold for
10 submission of a resolution. The legislative council may, by ordinance, set
11 threshold amounts other than those established by KRS 45A.385 for the
12 small purchases for submission of a resolution for its approval or
13 disapproval; and

14 (k) Appoint a deputy mayor within seven (7) days of the mayor taking the oath
15 of office and keep the office of deputy mayor filled throughout the mayor's
16 term. The deputy mayor shall:

17 1. Meet all the qualifications for mayor established pursuant to
18 subsection (3) of this section;

19 2. Serve at the mayor's pleasure and may be replaced by the mayor for
20 any cause; and

21 3. Have only the duties assigned to him or her by the mayor.

22 (6) (a) If~~In case~~ the office of mayor becomes vacant by reason of death, resignation,
23 or removal;

24 1. The deputy mayor shall become the temporary mayor, inheriting all
25 powers and duties of the mayor;

26 2. The deputy mayor shall serve as temporary mayor for no more than
27 thirty (30) days until the council, by a majority vote of the members of

- 1 the council, shall elect a resident of the consolidated local government
2 who meets the qualifications for mayor established pursuant to
3 subsection (3) of this section to serve as mayor. The council may select
4 the temporary mayor for this position. If the legislative council fails to
5 elect a person to fill the vacancy within thirty (30) days after the
6 vacancy occurs, the Governor shall fill the vacancy in the office by
7 appointment of a qualified person who is a resident of the
8 consolidated local government and meets the qualifications for mayor
9 established pursuant to subsection (3) of this section; and
- 10 3. The tenure of the gubernatorial appointment shall be governed by
11 Section 152 of the Kentucky Constitution.
- 12 (b) If the offices of both the mayor and deputy mayor become vacant by reason
13 of death, resignation, or removal:
- 14 1. The presiding officer of the consolidated local government council
15 shall become the temporary mayor, inheriting all powers and duties of
16 the mayor;
- 17 2. The presiding officer shall serve as temporary mayor for no more than
18 thirty (30) days until the council shall, by a majority vote of the
19 members of the council, elect a resident of the consolidated local
20 government who meets the qualifications for mayor established
21 pursuant to subsection (3) of this section. The council may select the
22 temporary mayor for this position. If the legislative council fails to
23 elect a person to fill the vacancy within thirty (30) days after the
24 vacancy occurs, the Governor shall fill the vacancy in the office by
25 appointment of a qualified person who is a resident of the
26 consolidated local government and meets the qualifications for mayor
27 established pursuant to subsection (3) of this section; and

1 **3. The tenure of the gubernatorial appointment shall be governed by**
2 **Section 152 of the Kentucky Constitution**~~[, the members of the~~
3 ~~legislative council of the consolidated local government shall by a~~
4 ~~majority vote of the membership of the council elect a qualified person~~
5 ~~to fill the vacancy in the office of the mayor not later than thirty (30)~~
6 ~~days after the date on which the vacancy occurs for the unexpired term.~~
7 ~~The members of the legislative body of the consolidated local~~
8 ~~government may elect one (1) of their members to serve as temporary~~
9 ~~mayor until they are able to hold the election to fill the vacancy for the~~
10 ~~unexpired term. If the legislative council fails to elect a person to fill the~~
11 ~~vacancy within thirty (30) days after the vacancy occurs, the Governor~~
12 ~~shall fill the vacancy in the office by appointment of a qualified person~~
13 ~~for the unexpired term].~~

14 (7) The mayor of a consolidated local government shall be known as the mayor of
15/..... County Metro Government, which shall be a combination
16 of the names of the largest city in existence in the county on the date of the adoption
17 of the consolidated local government and the county.

18 ➔Section 3. KRS 67C.115 is amended to read as follows:

19 (1) Upon the successful passage of the question to consolidate a city of the first class
20 and its county, all ordinances and resolutions of the previously existing city of the
21 first class and all ordinances and resolutions of the county shall become effective
22 ordinances and resolutions of the consolidated local government until repealed,
23 modified, or amended in accordance with the following order of precedence:

24 (a) If a city ordinance conflicts with a county ordinance, the county ordinance
25 shall prevail and shall become effective countywide; and

26 (b) If a city ordinance addresses a subject matter not addressed by a county
27 ordinance, the city ordinance shall become effective countywide; and

1 (c) If a county ordinance addresses a subject matter not addressed by a city
2 ordinance, the county ordinance shall become effective countywide.

3 Notwithstanding paragraph (a) of this subsection and in the event a uniform land
4 development code has not been jointly adopted by the city and county prior to the
5 effective date of a consolidated local government, the historic preservation and
6 landmarks ordinances, and the zoning regulations of the city adopted pursuant to
7 KRS Chapter 100, shall prevail and become effective countywide.

8 (2) Ordinances and resolutions of either the city of the first class or its county in
9 existence on the effective date of a local government consolidation which conflict
10 with other provisions of this chapter shall be void. Except as provided in KRS
11 67C.123(3), any ordinance, resolution, or order in effect in a city of the first class or
12 its county on the date a consolidated local government takes effect shall expire five
13 (5) years from that date unless amended or reenacted by the consolidated local
14 government.

15 (3) All ordinances of the city and county creating agencies and boards and interlocal
16 agreements shall survive and be deemed reenacted by the council. All members may
17 serve the balance of the terms to which they were appointed and until their
18 successors are appointed and duly qualified according to law.

19 (4) For purposes of this section, a conflict shall be deemed to exist between ordinances
20 or resolutions, or the provisions of this chapter, where any rights, remedies,
21 entitlements, or the enforcement thereof cannot reasonably be reconciled.

22 (5) The county attorney shall serve as the legal advisor and representative to the
23 consolidated local government and except for those duties pertaining to fiscal court
24 set forth in KRS 69.210, the county attorney shall retain and exercise all other
25 duties, powers, and rights delegated to that office by law. **This subsection does not**
26 **prevent the consolidated local government council from retaining its own legal**
27 **counsel solely for advice and consultation should they choose to do so.**

1 (6) Wherever the words "county judge" or "county judge/executive" appear in any
2 resolution or ordinance in existence in a city of the first class or in a county
3 containing a city of the first class as of the effective date of the establishment of a
4 consolidated local government, they shall be deemed to mean the mayor of the
5 consolidated local government.

6 ➔Section 4. KRS 67C.131 is amended to read as follows:

7 (1) The salary of the members of the legislative council of a newly consolidated local
8 government created by the provisions of KRS 67C.101 to 67C.137 shall be eighty
9 percent (80%) of that amount that is permitted for county commissioners on July
10 14, 2000, as provided by Section 246 of the Kentucky Constitution. In order to
11 equate the compensation of legislative council members with the purchasing power
12 of the dollar, the Department for Local Government shall compute by the second
13 Friday in February of every year the annual increase or decrease in the consumer
14 price index of the preceding year. The Department for Local Government shall
15 notify the appropriate governing bodies charged by law to fix the compensation of
16 the above elected officials of the annual rate of compensation to which the elected
17 officials are entitled in accordance with the increase or decrease in the consumer
18 price index. Upon notification from the Department for Local Government, the
19 appropriate governing body may set the annual compensation of the above elected
20 officials at a rate no greater than that stipulated by the Department for Local
21 Government.

22 (2) Each legislative council member may hire one (1) full-time staff person. **In addition**
23 **to that full-time staff person, the two (2) largest political caucuses within the**
24 **legislative council may hire staff persons to meet the staffing needs of that**
25 **caucus.**

26 ➔Section 5. KRS 67C.139 is amended to read as follows:

27 If a cooperative compact exists between a city of the first class and its county prior to the

1 creation of a consolidated local government, upon the establishment of the consolidated
2 local government:

3 (1) (a) The mayor of the consolidated local government shall assume all appointment
4 authority previously held by the county judge/executive and the mayor of the
5 consolidating governments. Appointments made by the mayor should reflect
6 the political, geographic, gender, age, and racial diversity of the population
7 within the jurisdiction of the consolidated local government. Upon the
8 expiration of a term of appointment, the mayor shall make an appointment
9 or reappointment within ninety (90) days of the term's expiration.

10 (b) If the mayor fails to make an appointment within ninety (90) days, the
11 legislative council of the consolidated local government shall make the
12 appointment within thirty (30) days after the expiration of the ninety (90)
13 day period. The legislative council's appointment shall take into account the
14 political, geographic, gender, age, and racial diversity of the population.
15 The legislative council shall adopt a resolution specifying how these
16 appointments shall be made; and

17 (2) (a) When authorized by statute, the mayor shall, subject to legislative council
18 approval, determine which statutorily created agencies, boards, and
19 commissions require legislative council approval for the appointment of
20 members.

21 (b) 1. Subject to legislative council approval, the mayor shall determine the
22 agencies, boards, and commissions to which legislative council
23 members shall be appointed. The mayor's determination under this
24 subparagraph shall be made in consultation with the Office of the
25 Attorney General and shall not violate the incompatible offices
26 prohibitions in KRS 61.080(3).

27 2. The presiding officer of the legislative council shall make all

1 legislative council appointments to agencies, boards, and commissions
 2 from the membership of the legislative council subject to
 3 subparagraph 1. of this paragraph.†

4 ~~The mayor, in consultation with the legislative council, shall, when authorized by~~
 5 ~~statute, determine which agencies, boards, and commissions created by statute~~
 6 ~~shall require legislative council approval for the appointment of members to~~
 7 ~~such agencies, boards, and commissions.]~~

8 (c) The legislative council shall enact an ordinance setting out the role of the
 9 legislative council, if any, in the appointment process for each individual
 10 agency, board, and commission created by statute. Only one (1) agency, board,
 11 or commission shall be addressed per ordinance. Such ordinance shall require
 12 a vote of the majority of the entire membership of the legislative council for
 13 approval and shall be subject to mayoral veto and legislative override pursuant
 14 to KRS 67C.103(13)(a) and 67C.105(5)(i); and

15 (3) The appointment of members to all agencies, boards, and commissions created by
 16 ordinance shall be determined by the ordinance creating the agency, board, or
 17 commission.

18 ➔Section 6. KRS 67C.143 is amended to read as follows:

19 (1) Unless otherwise provided by law, any elected officer of a consolidated local
 20 government in case of misconduct, incapacity, or willful neglect in the performance
 21 of the duties of his or her office may be removed from office by the legislative
 22 council, sitting as a court, under oath, upon charges preferred by the mayor or by
 23 any five (5) members of the legislative council, or, in case of charges against the
 24 mayor, upon charges preferred by not less than ten (10) members of the legislative
 25 council. No legislative council member preferring a charge shall sit as a member of
 26 the legislative council when it tries that charge.

27 (2) No elected officer shall be removed without having been given the right to a full

1 public hearing.

2 (3) A decision to remove a mayor, ~~for~~ legislative council member, **or appointee to a**
 3 **board or commission** shall require a vote of two-thirds (2/3) of the total number of
 4 legislative council members~~[sitting as a court]~~.

5 (4) Any elected officer removed from office under the provisions of this section may
 6 appeal to the Circuit Court and from there to the Court of Appeals. The appeal to
 7 the Circuit Court shall be taken and tried in the same manner as civil cases are tried.

8 (5) **(a)** No elected officer removed from office under this section shall be eligible to
 9 fill the office vacated before the expiration of the term to which the elected
 10 member was originally elected.

11 **(b) Any appointee to a board or commission removed under this section shall**
 12 **not be eligible for:**

13 **1. The office from which he or she was removed before five (5) years**
 14 **following the date of his or her removal from that office; or**

15 **2. Appointment to a board or commission described in paragraph (f) of**
 16 **subsection (13) of Section 1 of this Act before five (5) years following**
 17 **the date of his or her removal from that office.**

18 ➔Section 7. KRS 65.003 is amended to read as follows:

19 (1) (a) The governing body of each city, county, urban-county, consolidated local
 20 government, and charter county, shall adopt, by ordinance, a code of ethics
 21 which shall apply to all elected officials of the city, county, urban-county,
 22 consolidated local government, or charter county, and to appointed officials
 23 and employees of the city, county, urban-county, consolidated local
 24 government, or charter county government, or agencies created jointly, as
 25 specified in the code of ethics. The elected officials of a city, county, or
 26 consolidated local government to which a code of ethics shall apply include
 27 the mayor, county judge/executive, members of the governing body, county

1 clerk, county attorney, sheriff, jailer, coroner, surveyor, and constable but do
2 not include members of any school board. Agencies created jointly may
3 include planning or administrative commissions or boards. Candidates for the
4 local government elective offices specified in this subsection shall comply
5 with the annual financial disclosure statement filing requirements contained in
6 the code of ethics.

7 (b) The boards, officers, and employees of special purpose governmental entities
8 shall be subject to a code of ethics as provided in KRS 65A.070. As used in
9 this section, special purpose governmental entity has the same meaning as in
10 KRS 65A.010.

11 (2) Any city, county, or consolidated local government may enter into a memorandum
12 of agreement or an interlocal agreement with one (1) or more other cities, counties,
13 or consolidated local governments for joint adoption of a code of ethics which shall
14 apply to all elected officials of the cities, counties, or consolidated local
15 governments, and to appointed officials and employees as specified by each of the
16 cities, counties, or consolidated local governments which enters into the agreement.
17 Interlocal agreements shall be executed pursuant to the Interlocal Cooperation Act
18 in KRS 65.210 to 65.300. The interlocal agreement or memorandum of agreement
19 may provide for but shall not be limited to:

20 (a) The provision of administrative services relating to the implementation of a
21 code of ethics;

22 (b) The creation of a regional ethics board which serves independently to provide
23 advice to member governments and their officials and provides for the
24 enforcement of locally adopted codes of ethics; and

25 (c) Contracting by a memorandum of agreement with an area development
26 district for the provision of administrative services relating to the
27 implementation of a code of ethics.

1 Candidates for the city, county, or consolidated local government elective offices
2 specified in this subsection shall comply with the annual financial disclosure
3 statement filing requirements contained in the code of ethics.

4 (3) Each code of ethics adopted as provided by subsection (1) or (2) of this section, or
5 amended as provided by subsection (4) of this section, shall include but not be
6 limited to provisions which set forth:

7 (a) Standards of conduct for elected and appointed officials and employees;

8 (b) Requirements for creation of financial disclosure statements, which shall be
9 filed annually by all candidates for the city, county, or consolidated local
10 government elective offices specified in subsection (1) of this section, elected
11 officials of each city, county, or consolidated local government, and other
12 officials or employees of the city, county, or consolidated local government,
13 as specified in the code of ethics, and which shall be filed with the person or
14 group responsible for enforcement of the code of ethics;

15 (c) A policy on the employment of members of the families of officials or
16 employees of the city, county, or consolidated local government, as specified
17 in the code of ethics;

18 (d) The designation of a person or group who shall be responsible for
19 enforcement of the code of ethics, including maintenance of financial
20 disclosure statements, all of which shall be available for public inspection,
21 receipt of complaints alleging possible violations of the code of ethics,
22 issuance of opinions in response to inquiries relating to the code of ethics,
23 investigation of possible violations of the code of ethics, and imposition of
24 penalties provided in the code of ethics.

25 (4) The code of ethics ordinance adopted by a city, county, or consolidated local
26 government may be amended but shall not be repealed.

27 (5) (a) Within twenty-one (21) days of the adoption of the code of ethics required by

1 this section, each city, county, or consolidated local government shall deliver a
2 copy of the ordinance by which the code was adopted and proof of publication
3 in accordance with KRS Chapter 424 to the Department for Local
4 Government. The Department for Local Government shall maintain the
5 ordinances as public records and shall maintain a list of city, county, or
6 consolidated local governments which have adopted a code of ethics and a list
7 of those which have not adopted a code of ethics.

8 (b) Within twenty-one (21) days of the amendment of a code of ethics required by
9 this section, each city, county, or consolidated local government shall:

10 1. Deliver a copy of the ordinance by which the code was amended and
11 proof of publication in accordance with KRS Chapter 424 to the
12 Department for Local Government, which shall maintain the amendment
13 with the ordinance by which the code was adopted; and

14 2. Deliver a copy of the ordinance by which the code was amended to the
15 governing body of each special purpose governmental entity that follows
16 that establishing entity's code of ethics pursuant to KRS 65A.070.

17 (c) For ordinances adopting or amending a code of ethics under this section, cities
18 of the first class and consolidated local governments shall comply with the
19 publication requirements of KRS 83A.060(9), notwithstanding the exception
20 contained in that statute.

21 (6) If a city, county, or consolidated local government fails to comply with the
22 requirements of this section, the Department for Local Government shall notify all
23 state agencies, including area development districts, which deliver services or
24 payments of money from the Commonwealth to the city, county, or consolidated
25 local government. Those agencies shall suspend delivery of all services or payments
26 to the city, county, or consolidated local government which fails to comply with the
27 requirements of this section. The Department for Local Government shall

1 immediately notify those same agencies when the city, county, or consolidated local
2 government is in compliance with the requirements of this section, and those
3 agencies shall reinstate the delivery of services or payments to the city, county, or
4 consolidated local government.

5 (7) Notwithstanding subsection (14)(e) of Section 1 of this Act, a simple majority of
6 the legislative council of a consolidated local government may delegate its
7 authority to issue administrative subpoenas for the attendance and testimony of
8 witnesses and the production of documents relevant to possible violations of the
9 code of ethics to the person or a majority of the group responsible for
10 enforcement of a code of ethics. Subpoenas shall be served in the same manner
11 as subpoenas for witnesses in civil cases. Compliance with the subpoenas shall be
12 enforceable by the Circuit Court. Any failure to obey an order of the court may be
13 punished by the court as contempt thereof.