

#### **78.410 County police force merit boards.**

- (1) The county judge/executive, subject to the approval of the fiscal court of the county, shall appoint four (4) persons, who shall constitute the county police force merit board of such county, who shall serve without compensation, and the county judge/executive shall be a member ex officio of the said board, but shall only vote in case of a tie vote on any matter before the board for determination. Each board appointee shall be at least thirty (30) years of age, a resident of the county affected, and not related by either blood or marriage to either the county judge/executive or any member of the fiscal court of the said county. The first members of any said board shall be appointed within the thirty (30) day period following the effective date of an order duly made and entered by a fiscal court creating a county police force merit system and merit board, and one (1) member of the board shall be appointed for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, and one (1) for a term of four (4) years. Thereafter, all appointments shall be for four (4) years except that appointments to fill vacancies within the respective terms shall be made only for the unexpired period of the respective terms. Any board member may be removed by resolution of the fiscal court of the county for neglect, incapacity, misfeasance or malfeasance on the part of said board members. No appointed board member shall hold any other public office elective or appointive during his term as a member of the board, and shall not receive any money, gift or consideration of any type from any person directly or indirectly for or on account of any recommendation, proposal or suggestion bearing upon the business of the board or the county police force. Not more than two (2) members shall be adherents of the same political party.
- (2) Each appointee, before entering upon the discharge of his duties, shall qualify by subscribing, taking and filing an oath of office as required by law.
- (3) The members of the county police department shall elect for a two (2) year term two (2) patrolmen of the county police department with a minimum of five (5) years service or more who shall serve as members of the county police force merit board for the purpose of deciding discipline cases only and who may vote in such cases. These members shall be elected during the month of July, 1978. In case of a vacancy, a new election shall be held within sixty (60) days of the date when the vacancy occurs and the person elected shall fill the remainder of the unexpired term.

**Effective:** June 17, 1978

**History:** Amended 1978 Ky. Acts ch. 129, sec. 1, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 20, sec. 6, effective January 2, 1978. -- Amended 1970 Ky. Acts ch. 198, sec. 1. -- Created 1952 Ky. Acts ch. 141, sec. 2(2) and (6), effective March 4, 1952.