

**81.028 Effect of reclassification of city in county containing consolidated local government as city of second class on personnel and retirement systems and police and fire protection services.**

- (1) Any city located in a county containing a consolidated local government which was reclassified as a city of the second class after March 16, 2000, but prior to January 1, 2015, under a classification system in effect before January 1, 2015, shall be exempt from the provisions of KRS 90.300 to 90.400, 95.430 to 95.500, and 95.851 to 95.991 relating to the organization and structure of civil service systems, police departments, fire departments, and pension systems in cities.
- (2) In lieu of the requirements of these statutes, any city reclassified under the conditions set out in subsection (1) of this section shall ensure that police and fire protection services are provided for the citizens of the city in the same manner and at least at the same level of service as was being provided prior to the reclassification.
- (3) Nothing in this section shall prevent a city from restructuring or creating a new civil service system, police department, or fire department after a reclassification under the conditions set out in subsection (1) of this section. Any city that restructures or creates a new civil service system, police department, or fire department may adopt any of the provisions of KRS 90.300 to 90.400, 95.430 to 95.500, and 95.851 to 95.991 relating to the organization and structure of civil service systems, police departments, fire departments, and pension systems.
- (4) If fire protection service was being provided by a fire protection district in any city that was reclassified under the conditions set out in subsection (1) of this section, the reclassification shall in no way affect the operations of the fire protection district and the services it provides. If at any time after a city is reclassified, the fire protection district ceases to exist or fails to adequately provide for the fire protection needs of the city, the city shall have the right to create its own fire department or secure some other means for the provision of adequate fire protection services.

**Effective:** January 1, 2015

**History:** Amended 2014 Ky. Acts ch. 92, sec. 3, effective January 1, 2015. -- Amended 2002 Ky. Acts ch. 346, sec. 88, effective July 15, 2002. -- Created 2000 Ky. Acts ch. 121, sec. 1, effective March 16, 2000.