

### **77.127 Air quality trust fund.**

- (1) In a county containing a consolidated local government or a city of the first class or a city having a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census, there is established within the air pollution control district a special trust fund to be known as the "air quality trust fund" to be used for conducting and funding air quality research and development projects, special nonrecurring air quality projects, and air quality education programs approved by the air pollution control board to assist in implementing the policies and purposes of this chapter.
- (2) All money collected for the fund shall be deposited by the district into an interest-bearing capital project account maintained by the fiscal court or consolidated local government of the county in which the district is located. Money shall be distributed from the account by the finance director of the county or consolidated local government based upon written authorization from the air pollution control board. Money unexpended at the close of a fiscal year shall not lapse but shall be carried forward for future use.
- (3) The fund shall not be used to support or finance the routine day-to-day activities and responsibilities of the district.
- (4) The air pollution control board shall, by regulation, set policies and establish procedures for the receipt and disbursement of any money collected under this section and for the full disclosure of the source and use of the money.
- (5) The air pollution control board shall control and manage the fund. It shall publish in writing at its June meeting each year an accounting of the income and disbursements of the fund.
- (6) Four (4) members of the air pollution control board shall constitute a quorum for conducting business relating to the air quality trust fund. When votes are taken on matters relating to the fund, each member shall have one (1) vote, and the affirmative vote of at least a majority of the votes cast shall be necessary for the adoption of any motion, measure, or resolution.
- (7) Members of the air pollution control board shall not solicit, but may accept, money by grant, gift, donation, bequest, civil or criminal penalty, or other conveyance to be credited to the air quality trust fund, but they may not accept penalties collected under KRS 77.990 for the air quality trust fund.

**Effective:** January 1, 2015

**History:** Amended 2014 Ky. Acts ch. 92, sec. 73, effective January 1, 2015. -- Amended 2002 Ky. Acts ch. 346, sec. 82, effective July 15, 2002. -- Created 1994 Ky. Acts ch. 420, sec. 8, effective July 15, 1994.