

CHAPTER 181**(HB 388)**

AN ACT relating to local government and declaring an emergency.

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

➔ Section 1. KRS 67C.147 is amended to read as follows:

- (1) In order to maintain the tax structure, tax rates, or level of services in the area of the consolidated local government formerly comprising the city of the first class, the legislative council of a consolidated local government may provide in the manner described in this chapter for taxes and services within the area comprising the former city of the first class which are different from the taxes and services which are applicable in the remainder of the county. These differences may include differences in tax rates upon the class of property which includes the surface of the land, differences in ad valorem tax rates upon personal property, and differences in tax rates upon insurance premiums.
- (2) Any difference in the ad valorem tax rate on the class of property which includes the surface of the land in the portion of the county formerly comprising the city of the first class and in the portion of the county other than that formerly comprising the city of the first class may be imposed directly by the consolidated local government council. Any change in these ad valorem tax rates shall comply with KRS 68.245, 132.010, 132.017, and 132.027 and shall be used for services as provided by KRS 82.085.
- (3) If the consolidated local government council determines to provide for tax rates applicable to health insurance premiums and personal property which are different in the area formerly comprising the city of the first class than the rates applicable in the remainder of the county, it shall do so in the following manner. The consolidated local government council shall by ordinance create a tax district to be known as the "urban service tax district" bounded by the former boundaries of the former city of the first class. The ordinance shall designate the number of members of the board of this ~~tax~~~~taxing~~ district and the manner in which they shall be appointed. The ordinance shall provide that the board of the ~~tax~~~~taxing~~ district shall receive the income derived from the differential~~-in~~ tax rate applicable in the area formerly comprising the city of the first class with respect to personal property, health insurance premiums, or both, and shall contract with the consolidated local government to pay all sums collected to the consolidated local government, in return for the provision of services performed by the consolidated local government within the area formerly comprising the city of the first class which services are in addition to services performed by the consolidated local government in the remainder of the county. The consolidated local government shall provide at least an annual reporting to the urban service tax district board and the legislative body of the consolidated local government containing but not limited to detailed operating and capital expenditures of each service performed by the consolidated local government.
- (4) After the initial formation of an urban service ~~tax~~~~taxing~~ district in a consolidated local government, the boundaries of the district may be modified in the following manner. The proposal to alter the boundaries of the urban service ~~tax~~~~taxing~~ district within a consolidated local government may be initiated by:
 - (a) A resolution enacted by the consolidated local government describing the boundaries of the area to be added to or deleted from the ~~tax~~~~taxing~~ district and duly passed and signed by the mayor not less than one hundred twenty (120) days before the next regularly scheduled election day within the county; or
 - (b) A petition signed by a number of qualified voters living within precincts within the area to be added to or deleted from the ~~tax~~~~taxing~~ district equal to ten percent (10%) of the votes cast within each precinct in the last general election for President of the United States and delivered to the clerk of the legislative council more than one hundred twenty (120) days next preceding the next regularly scheduled election day within the county.

The boundaries so described in either case shall not cross precinct lines. The question of whether the area bounded as described should be added to or deleted from, as the case may be, the urban ~~service tax~~~~services taxing~~ district shall then be placed upon the ballot in the precincts in the area to be added or deleted at the next regular election and the question stated on the ballot shall be so phrased that a "Yes" vote shall be cast in favor of making the proposed change and a "No" vote shall be cast to oppose the proposed change. If a majority of those voting in those precincts support the change, then the change in the boundaries of the urban service ~~tax~~ district shall be implemented.

- (5) (a) *No later than July 1, 2025, the consolidated local government shall reimburse a fire district operating under KRS Chapter 75 for expenses related to each emergency medical response made by the fire district operating under KRS Chapter 75 into the area of the urban service tax district. A fire district so responding shall receive from the consolidated local government three hundred dollars (\$300) for transporting a person and one hundred fifty dollars (\$150) for arriving at person's location when no person is transported.*
- (b) *The payment established in paragraph (a) of this subsection shall be in addition to any insurance moneys the fire district may be eligible to receive resulting from the response.*
- (c) *The payment established in paragraph (a) of this subsection shall be adjusted on July 1 of each year by the percentage increase in the nonseasonally adjusted annual average Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, All Items, between the two (2) most recent calendar years available, as published by the United States Bureau of Labor Statistics.*
- (d) *The consolidated local government shall not charge a fire district operating under KRS Chapter 75 for any expenses or services that the consolidated local government was not charging the fire district prior to January 1, 2024.*
- (6) (a) *From July 1, 2025, to June 30, 2028, the differential tax received by the urban service tax district shall fund no less than eighty-five percent (85%) of all costs related to the services provided, including capital expenditures related to the services, within the urban service tax district by the consolidated local government as set out in this section that are in addition to the services performed by the consolidated local government in the remainder of the county.*
- (b) *From July 1, 2028, to June 30, 2031, the differential tax received by the urban service tax district shall fund no less than ninety percent (90%) of all costs related to the services provided, including capital expenditures related to the services, within the urban service tax district by the consolidated local government as set out in this section that are in addition to the services performed by the consolidated local government in the remainder of the county.*
- (c) *From July 1, 2031, to June 30, 2034, the differential tax received by the urban service tax district shall fund no less than ninety-five percent (95%) of all costs related to the services provided, including capital expenditures related to the services, within the urban service tax district by the consolidated local government as set out in this section that are in addition to the services performed by the consolidated local government in the remainder of the county.*
- (d) *After June 30, 2034, the differential tax received by the urban service tax district shall fund no less than one hundred percent (100%) of all costs related to the services provided, including capital expenditures related to the services, within the urban service tax district by the consolidated local government as set out in this section that are in addition to the services performed by the consolidated local government in the remainder of the county.*

➔Section 2. KRS 67C.111 is amended to read as follows:

- (1) All cities other than those of the first class located within the territory of the consolidated local government, upon the successful passage of the question to consolidate a city of the first class and its county, shall remain incorporated unless dissolved in accordance with KRS 81.094 and shall continue to exercise all powers and perform the functions permitted by the Constitution and general laws of the Commonwealth of Kentucky applicable to the cities of the class to which they have been assigned.
- (2) (a) After July 15, 2024, with the approval of the consolidated local government's legislative council, qualified voters within the consolidated local government may establish new cities within the consolidated local government pursuant to KRS 81.050 and 81.060. The proposed city must have a population of six thousand (6,000) or greater. This territory shall not be within any urban services boundary of the consolidated local government nor shall it include any territory currently incorporated within any existing city. The approval of the desire to establish a new city shall be in the form of a resolution by the consolidated local government's legislative council. If the legislative council does not act upon the request within sixty (60) days of the receipt of the desire to incorporate a new city, that shall serve as notice of approval by the legislative council of the incorporation of the new city.
- (b) If the petition to form a city is signed by **a number of registered and qualified voters residing in the area proposed to be incorporated which is equal to at least seventy-five percent (75%) of the total number of votes cast in the area in the last preceding presidential election**~~[sixty-six percent (66%) or~~

~~more of the qualified voters in the area proposed to be incorporated~~, the consolidated local government's legislative council shall approve the proposed incorporation.

- (c) If the petition to form a city is signed by ***a number of registered and qualified voters residing in the area proposed to be incorporated which is less than seventy-five percent (75%) of the total number of votes cast in the area in the last preceding presidential election***~~[less than sixty-six percent (66%) of the qualified voters in the area proposed to be incorporated]~~, the consolidated local government's legislative council may approve the proposed incorporation.
 - (d) ***An action of the consolidated local government's legislative council approving an incorporation passed by the consolidated local government legislative council shall not be subject to veto by the mayor of the consolidated local government.***
- (3) (a) Any proposed annexation by a city in that county shall first receive the approval of the legislative council of the consolidated local government prior to the city proceeding under the provisions of KRS Chapter 81A. The city shall request the approval of the consolidated legislative council by ordinance. ***For requests filed after July 15, 2024:—if***
- 1. ***If the ordinance is accompanied by a petition in favor of the proposed annexation signed by a number of registered and qualified voters residing in the area proposed to be annexed which is equal to at least seventy five percent (75%) of the total number of votes cast in the area in the last preceding presidential election, the consolidated local government shall approve the proposed annexation***~~[sixty-six percent (66%) or more of the qualified voters of the area proposed to be annexed,]; or~~
 - 2. ***If the ordinance is accompanied by written consent of the owners of record of the area to be annexed when that area is vacant or is otherwise unimproved land and where no persons reside, the consolidated government legislative council shall approve the proposed annexation. A city shall not annex vacant or otherwise unimproved land where no persons reside as set out by this subparagraph more than once every four (4) calendar years.***
- (b) The consolidated legislative council's decision shall be made by ordinance and within sixty (60) days of the receipt of the request by the affected city. If an ordinance has not been enacted by the consolidated legislative council within sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved by the consolidated legislative council. An ordinance approving annexation passed by the consolidated local government legislative council shall not be subject to veto by the mayor of the consolidated local government.
- (c) 1. ***A city in a county containing a consolidated local government shall not annex commercial real estate primarily for the purpose of obtaining occupational license taxes, net profits, or gross receipts taxes unless each owner of record of property within the area to be annexed gives prior consent in writing to the annexation.***
2. a. ***As used in this paragraph, "commercial real estate" means any parcel of real estate that is:***
- i. ***Lawfully used primarily for sales, retail, wholesale, office, research, institutional, warehouse, manufacturing, or industrial purposes;***
 - ii. ***Lawfully used primarily for multifamily residential purposes involving five (5) or more dwelling units; or***
 - iii. ***Zoned as a business or commercial use by a planning unit under the provisions of KRS Chapter 100.***
- b. ***"Commercial real estate" does not include single-family residential units such as condominiums, townhouses, manufactured homes, or homes or lots in a subdivision when sold, or residential units otherwise conveyed on a unit-by-unit basis, even if those units are part of a larger building or parcel of real estate containing more than four (4) residential units.***
- (4) The adoption of a consolidated local government in a county containing a city of the first class shall not prevent the merger or dissolution of any existing cities as provided by law or the merger of any remaining cities with the newly consolidated local government.

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 67C IS CREATED TO READ AS FOLLOWS:

- (1) *Except as otherwise expressly provided by law, in appointing members to boards, committees, commissions, task forces, ad hoc committees, and other administrative bodies created by or whose membership is appointed by the executive authority, legislative authority, or a combination of both of the consolidated local government, either under their home rule authority or in response to a requirement or option under the authority of the Kentucky Revised Statutes, the appointing authority shall make a conscientious effort to select, from among the most qualified persons, those persons whose appointment would ensure that the membership of the board, committee, commission, task force, ad hoc committee, or other administrative body accurately reflects the geographic population of the area represented by the local board, committee, commission, task force, or ad hoc committee, or other administrative body as determined pursuant to the most recent federal decennial census, unless the law regulating such appointment requires otherwise.*
- (2) *If there are multiple appointing authorities for the board, committee, commission, task force, ad hoc committee, or administrative body, they shall consult with each other to assure compliance with this section.*
- (3) *This section shall apply to appointments and reappointments made after the effective date of this Act. It shall not prohibit a member of a board, committee, commission, task force, ad hoc committee, or other administrative body from completing a term serving as a member when this section takes effect. A person appointed to a board, committee, commission, task force, ad hoc committee, or other administrative body prior to the effective date of this Act, shall not be removed from the appointment solely for the purpose of meeting the requirements of this section.*

➔Section 4. KRS 67C.103 is amended to read as follows:

- (1) The legislative authority of a consolidated local government, except as otherwise specified in KRS 67C.101 to 67C.137, shall be vested in a consolidated local government council. The members of the council shall be nominated and elected by district. There shall be only one (1) council member elected from each council district.
- (2) There shall be twenty-six (26) council districts. The initial boundaries, population, and numerical designation of the council districts shall be as specified by KRS 67C.135. The population of the council districts shall be as nearly equal as is reasonably possible. Any changes made to alter the boundaries of council districts shall be based on the population of the county as determined by the most recent United States Census or official census estimates as provided by the United States Bureau of the Census.
- (3) Following the official publication of each decennial census by the United States Bureau of the Census for the area embraced by a consolidated local government, the council shall adopt an ordinance, if necessary, to redistrict the council districts. A redistricting ordinance shall provide for the distribution of population among the council districts as nearly equal as is reasonably possible. Every council district shall be compact and contiguous and shall respect existing neighborhood, community, and city boundaries whenever possible.
- (4) The consolidated local government council members shall serve for a term of four (4) years beginning on the first Monday in January following their election, except that the initial election of council members shall be in a manner as to provide for staggered terms for council members. At the initial election of the members of a consolidated local government council, those representing even-numbered districts shall be elected for a two (2) year term. Those representing odd-numbered districts shall be elected for a four (4) year term. Thereafter, all council members shall be elected for four (4) year terms.
- (5) The members of a consolidated local government council shall be nominated and elected from the district in which they reside in **nonpartisan**~~[partisan]~~ elections. After the initial terms of office of the first elected council members, council members shall be elected in the same election years as other local government officials as regulated by the regular election laws of the Commonwealth and as provided in subsection (4) of this section.
- (6) No person shall be eligible to serve as a member of a consolidated local government council unless he or she is at least eighteen (18) years old, a qualified voter, and a resident within the territory of the consolidated local government and the district that he or she seeks to represent for at least one (1) year immediately prior to the person's election. A council member shall continue to reside within the district from which he or she was elected throughout the term of office.
- (7) The presiding officer of a consolidated local government council shall be a president who shall be chosen annually by a majority vote of the entire council from among its members at the first meeting of the council in January. The council president has the right to introduce any resolution or recommend any ordinance and shall be entitled to vote on all matters.

- (8) The consolidated local government council shall upon notice meet within seven (7) days after its members have taken office, and shall thereafter hold at least one (1) regular meeting per month. No newspaper notice shall be required for regular or special meetings of the consolidated local government council. However, notice of all meetings of the council and all meetings of committees of the council shall be held pursuant to KRS 61.805 to 61.850.
- (9) A majority of the members of the consolidated local government council shall constitute a quorum, but a smaller number may adjourn from day to day. The consolidated local government council may enforce the attendance of members by rules or ordinances with appropriate fines. The mayor or two-thirds (2/3) of the entire membership of the council may call a special meeting at any time. Meetings shall be held in such places in the county as are provided by ordinance, and the place of meetings shall not be changed except by an ordinance for which two-thirds (2/3) of the members of the consolidated local government council have voted.
- (10) The council shall determine its own rules and order of business, and keep and provide a public record of its proceedings. The council shall provide for the publication of all ordinances in a composite code of ordinances.
- (11) Council ordinances that prescribe penalties for their violation shall be enforced through the entire area of the consolidated local government unless:
 - (a) Otherwise provided by statute; or
 - (b) The legislative body of any city within the consolidated local government area has adopted an ordinance pertaining to the same subject matter that is the same as or more stringent than the standards set forth in the consolidated local government's ordinance.
- (12) (a) In the case of a vacancy on the consolidated local government council by reason of death, resignation, or removal, ~~a nonpartisan~~ election shall be held to fill the unexpired term, unless paragraph (c) of this subsection applies. The county clerk shall be responsible for administering the election. The election shall proceed as follows:
 1. The presiding officer of the council shall declare the position vacant and issue a writ of election within twenty-four (24) hours of the occurrence of the vacancy;
 2. The writ shall be signed by the presiding officer, shall designate the day for holding the election, and shall be delivered to the sheriff;
 3. Candidates for the unexpired term shall file petitions of nomination with the county clerk not later than ten (10) days following the declaration of vacancy. The election shall be held sixty (60) days after the declaration of vacancy on the next Tuesday which is not a federal holiday under 5 U.S.C. sec. 6103(a), unless paragraph (b) of this subsection applies. The petition for nomination shall contain the signatures of two (2) registered voters of the council district and shall meet the requirements of KRS 118.315(2); **and**
 4. ~~If the candidate is a registered member of a political party, as defined by KRS 118.551, the candidate shall be designated as such on the election ballot. If the candidate is not a registered member of a political party, as defined by KRS 118.551, the candidate shall be designated as "independent" on the election ballot, or may choose to be designated as a member of another political organization on the ballot, if such political organization is indicated on the candidate's petition for nomination; and~~
 5. ~~—~~The successful candidate elected to fill an unexpired term in the office of consolidated local government council member shall take office immediately upon certification of the election results and administration of the oath of office.
- (b) If the unexpired term will not end on the first Monday in January following the next regular election, and if less than three (3) months intervene before that regular election, the unexpired term shall be filled on the date set for the regular election. Candidates for full terms shall be grouped together, and candidates for unexpired terms shall be grouped together, under appropriate headings, so that the voter may easily distinguish the candidates for full terms from the candidates for unexpired terms.
- (c) If the unexpired term will end on the first Monday in January following the next regular election, and if less than three (3) months intervene before that regular election, the presiding officer of the council shall appoint a qualified person to fill the vacancy and serve the remainder of the term.

- (d) ~~Votes cast pursuant to KRS 117.125(3) shall not be counted for, or assigned to, any candidate in an election to fill a vacancy on the council, even if that candidate is the only designee of a political party or organization nominated in an election to fill a vacancy on the council.~~
- (e) The order of the names on the ballot for the candidates shall be determined by lot at a public drawing to be held in the office of the county clerk at 4 p.m., standard time, ten (10) days following the declaration of vacancy.
- (13) All legislative powers of a consolidated local government are vested in the consolidated local government council. The term "legislative power" is to be construed broadly and shall include the power to:
- (a) Enact ordinances, orders, and resolutions, and override a veto of the mayor by a two-thirds (2/3) majority of the membership of the legislative council;
 - (b) Review the budgets of and appropriate money to the consolidated local government;
 - (c) Adopt a budget ordinance;
 - (d) Levy taxes, subject to the limitations of the Constitution and the laws of the Commonwealth of Kentucky;
 - (e) Establish standing and temporary committees; and
 - (f) Make independent audits and investigations concerning the affairs of the consolidated local government and any board or commission that:
 - 1. Is composed of members who are appointed by the mayor and approved by the legislative council; or
 - 2. Has a budget that is equal to or greater than one million dollars (\$1,000,000.00), except that this subparagraph shall not apply to any fee officer elected within the consolidated local government.
- (14) (a) The consolidated local government council shall establish a Government Oversight and Audit Committee. This committee shall be:
- 1. Composed of members from each of the two (2) largest political caucuses in the legislative council;
 - 2. Appointed by the chairs of their respective caucuses; and
 - 3. Composed on the basis of the proportion of each of the two (2) caucuses' total membership as compared to the total membership of the legislative council. Any fractional proportions shall be rounded in the favor of the smallest caucus' membership on the committee.
- (b) The committee shall have the power to:
- 1. Compel testimony and the submission of work papers or documents;
 - 2. Issue subpoenas to compel any officer, appointee, or former officer or appointee to a board or commission described in subsection (13)(f) of this section or any department or division of the consolidated local government to appear before the committee and to compel the submission to the committee of any work papers or documents pertinent to an independent audit or investigation. Any subpoenas issued or testimony compelled shall be subject to any relevant statutes concerning privacy. Testimony subject to KRS 61.810 shall only be taken in executive session. The right to privacy or the requirement that testimony be taken in executive session may be waived by the person or entity being subpoenaed or compelled to testify;
 - 3. Petition the appropriate Circuit Court to compel obedience by proceedings for contempt as in the case of disobedience of a subpoena issued from the Circuit Court or a refusal to testify therein, if any officer or appointee fails or refuses to testify or furnish the work papers or documents subpoenaed;
 - 4. Administer oaths to witnesses appearing before the committee when the committee deems the administration of an oath necessary and advisable as provided by law. This decision to administer oaths shall be taken by a majority vote of the committee of the legislative council; and
 - 5. Recommend the removal of any appointee to a board or commission described in subsection (13)(f) of this section.

- (c) The legislative council of the consolidated local government shall adopt by resolution any process or procedures deemed necessary for the administration of subpoenas and oaths.
 - (d) The legislative council of the consolidated local government may only act to remove an appointee to a board or commission described in subsection (13)(f) of this section upon the recommendation of the Government Oversight and Audit Committee.
 - (e) The Government Oversight and Audit Committee shall have the power to issue subpoenas or administer oaths. Except as provided in KRS 65.003(7), the legislative council of the consolidated local government shall not delegate those powers to any other entity or entities not a part of the legislative council of the consolidated local government.
- (15) The consolidated local government council shall be known as the legislative council of/..... County Metro Government, which shall be a combination of the names of the largest city in existence in the county on the date of the adoption of the consolidated local government and the county.

➔ Section 5. KRS 67C.105 is amended to read as follows:

- (1) All executive and administrative power of the government shall be vested in the office of the mayor. The term "executive and administrative power" shall be construed broadly. The mayor shall be the chief executive of a consolidated local government formed under the provisions of KRS 67C.101 to 67C.137.
- (2)
 - (a) The mayor shall be nominated and elected in **nonpartisan**~~partisan~~ elections for a term of four (4) years in the same election years as other local government officials as regulated by the regular election laws of the Commonwealth.
 - (b) The mayor shall assume office on the first Monday in January following his or her election. He or she shall serve until a successor qualifies.
 - (c) After January 1, 2023, the mayor may serve for no more than two (2) consecutive terms, after which time he or she shall be prohibited from running for election or being appointed as mayor for a period of at least four (4) years.
- (3) The mayor shall be at least twenty-one (21) years old, a qualified voter~~, a member of his or her political party~~, and a resident of the territory encompassing the consolidated local government for a period of at least one (1) year prior to his or her election as mayor. The mayor shall continue to reside within the geographic boundary of the consolidated local government throughout his or her term of office.
- (4) Except as otherwise provided in KRS 67C.101 to 67C.137, the mayor shall have all the power and authority that the mayor of the city of the first class and the county judge/executive exercised under the Constitution and the general laws of the Commonwealth of Kentucky prior to the consolidation.
- (5) The mayor is authorized to supervise, administer, and control all departments and agencies as may be created by KRS 67C.101 to 67C.137 or created by ordinance. The mayor shall appoint all department and agency directors. The appointees shall serve at the pleasure of the mayor. Specifically, the mayor shall:
 - (a) Prepare and submit an annual report coinciding with the fiscal year, on the state of the consolidated local government, to be presented at a public meeting of the council;
 - (b) Submit an annual budget no fewer than sixty (60) days prior to the end of the fiscal year;
 - (c) Oversee the administration and implementation of the adopted budget ordinance;
 - (d) Enforce the ordinances of the consolidated local government;
 - (e) Supervise all officers, agents, employees, cabinets, departments, offices, agencies, functions, and duties of the consolidated local government;
 - (f) Call special meetings of the consolidated local government council;
 - (g) Appoint and remove his or her own staff at his or her own pleasure;
 - (h) Execute written contracts, subscriptions, agreements, or obligations of the consolidated local government;
 - (i) Approve or veto ordinances and resolutions adopted by the consolidated local government council;

- (j) Submit any written contracts, subscriptions, agreements, or obligations exceeding the small purchase amount established pursuant to KRS 45A.385 in a resolution to the legislative council for its approval or its disapproval. Those written contracts, subscriptions, agreements, or obligations awarded to the lowest evaluated bid or proposal pursuant to KRS 45A.343 to 45A.460 shall be excluded, unless the legislative council changes the threshold for submission of a resolution. The legislative council may, by ordinance, set threshold amounts other than those established by KRS 45A.385 for the small purchases for submission of a resolution for its approval or disapproval; and
- (k) Appoint a deputy mayor within seven (7) days of the mayor taking the oath of office and keep the office of deputy mayor filled throughout the mayor's term. The deputy mayor shall:
 - 1. Meet all the qualifications for mayor established pursuant to subsection (3) of this section;
 - 2. Serve at the mayor's pleasure and may be replaced by the mayor for any cause; and
 - 3. Have only the duties assigned to him or her by the mayor.
- (6) (a) If the office of mayor becomes vacant by reason of death, resignation, or removal:
 - 1. The deputy mayor shall become the temporary mayor, inheriting all powers and duties of the mayor;
 - 2. The deputy mayor shall serve as temporary mayor for no more than thirty (30) days until the council, by a majority vote of the members of the council, shall elect a resident of the consolidated local government who meets the qualifications for mayor established pursuant to subsection (3) of this section to serve as mayor. The council may select the temporary mayor for this position. If the legislative council fails to elect a person to fill the vacancy within thirty (30) days after the vacancy occurs, the Governor shall fill the vacancy in the office by appointment of a qualified person who is a resident of the consolidated local government and meets the qualifications for mayor established pursuant to subsection (3) of this section; and
 - 3. The tenure of the gubernatorial appointment shall be governed by Section 152 of the Kentucky Constitution.
- (b) If the offices of both the mayor and deputy mayor become vacant by reason of death, resignation, or removal:
 - 1. The presiding officer of the consolidated local government council shall become the temporary mayor, inheriting all powers and duties of the mayor;
 - 2. The presiding officer shall serve as temporary mayor for no more than thirty (30) days until the council shall, by a majority vote of the members of the council, elect a resident of the consolidated local government who meets the qualifications for mayor established pursuant to subsection (3) of this section. The council may select the temporary mayor for this position. If the legislative council fails to elect a person to fill the vacancy within thirty (30) days after the vacancy occurs, the Governor shall fill the vacancy in the office by appointment of a qualified person who is a resident of the consolidated local government and meets the qualifications for mayor established pursuant to subsection (3) of this section; and
 - 3. The tenure of the gubernatorial appointment shall be governed by Section 152 of the Kentucky Constitution.
- (7) The mayor of a consolidated local government shall be known as the mayor of/..... County Metro Government, which shall be a combination of the names of the largest city in existence in the county on the date of the adoption of the consolidated local government and the county.

➔Section 6. KRS 117.125 is amended to read as follows:

No voting system or voting equipment shall be approved for use after January 1, 2024, by the State Board of Elections, either upon initial examination or reexamination, and no voting equipment or voting system shall be purchased after July 14, 2022, unless the system and equipment has been certified under KRS 117.379 and is so constructed that it shall:

- (1) Ensure secrecy to the voter in the act of voting so that no person can see or know for whom any other voter has voted or is voting, except for those voters requiring assistance under KRS 117.255;

- (2) Permit votes to be cast for any candidate entitled to have his or her name printed upon the ballots at any primary, regular election, or special election, and for or against any public question entitled to be placed upon the ballots;
- (3) Except at a primary ~~or at a special election held under KRS 67C.103(12)~~, permit a voter to vote for all the candidates of one (1) party or for one (1) or more candidates of every party having candidates entitled to be voted for, or for one (1) or more independent, political organization, or political group candidates;
- (4) Permit a voter to vote for as many persons for an office as the voter is lawfully entitled to vote for, and no more;
- (5) Prevent a voter from voting for more persons for any office than the voter is entitled to vote for, and from voting for the same person, or for or against the same question, more than once;
- (6) Permit a voter to vote for or against any question the voter may have the right to vote on, but no other;
- (7) Provide for a nonpartisan ballot;
- (8) Be capable of being adjusted for use in a primary so that a voter may not vote for any person except those seeking nomination as candidates of the voter's party, as candidates for a nonpartisan office, or as candidates for an office of the Court of Justice;
- (9) Permit each voter to vote for all the candidates for presidential electors of any party by one (1) operation;
- (10) Permit each voter to vote, in any regular or special election, for any person for whom the voter desires to vote whose name does not appear upon the ballot by providing a method of write-in voting;
- (11) Be safe, efficient, and accurate in the conduct of elections, and correctly register and accurately count all votes cast for each person, and for or against each public question;
- (12)
 - (a) Provide each voter an opportunity to verify votes recorded on the permanent paper ballot, either visually or using assistive voting technology, by producing a voter-verified paper audit trail;
 - (b) Provide each voter an opportunity to change votes or correct any error before the voter's ballot is cast and counted; and
 - (c) Provide a voter who spoils his or her ballot another ballot as provided under this chapter;
- (13) Use an individual, discrete, permanent, paper ballot cast by the voter for tabulating purposes;
- (14) Preserve the paper ballot as an official record available for use in any audit or recount;
- (15) Be suitably designed for the purpose used, constructed of a durable material, and safely transportable;
- (16) Be capable of determining whether the voting equipment has been unlocked and operated or adjusted in any manner after once being locked;
- (17) Have a public counter with a register which is visible from the outside of the counter or device that will show at all times during an election how many persons have voted;
- (18) Have a protective cumulative counter indicating the number of votes cast for each person, and the votes cast for or against each public question which cannot be seen, reset, or tampered with without unlocking a covering device by a key or other security apparatus that cannot unlock any other part of the equipment, and which prevents changes to the cumulative counter once the system has been put into operation on the day of any election;
- (19) Provide for the tabulating of votes at the precinct as required under KRS 117.275;
- (20) Provide locks or other security apparatus by which the operation of the voting equipment may be locked before the time for opening the polls and after the time for closing the polls;
- (21) Permit a voter to readily learn the method of operating it, to expeditiously cast a vote for all candidates and on all questions of the voter's choice, and when operated properly, register and record correctly and accurately every vote cast;
- (22) Bear a number or other unique designation that will distinguish it from any other voting equipment or voting system;

- (23) Produce a real-time audit log record for the voting system, and produce a paper record with a manual audit capacity which shall be available as an official record for any recount conducted related to any primary or election in which the system is used;
- (24) Be accessible for individuals with impairments, including nonvisual accessibility for the blind or visually impaired, in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters;
- (25) Prohibit voting equipment that tabulates or aggregates votes used in official results from connecting to any network, including the internet, or communicating with any device external to the voting system;
- (26) Meet or exceed the standards for a voting system established by the Election Assistance Commission, as amended from time to time, and those approved under KRS 117.379; and
- (27) Meet such other requirements as may be established by the State Board of Elections in administrative regulations promulgated under KRS Chapter 13A to reflect changes in technology to ensure the integrity and security of voting systems.

➔ Section 7. KRS 177.360 is amended to read as follows:

- (1) Except as provided in subsection (5) of this section, the Department of Rural and Municipal Aid shall allocate the funds set apart under KRS 177.320(1) for construction, reconstruction, and maintenance of state-maintained secondary and rural highways as follows:
 - (a) One-fifth (1/5) shall be apportioned equally among the one hundred twenty (120) counties.
 - (b) One-fifth (1/5) shall be apportioned among the one hundred twenty (120) counties on the basis of the ratio which the rural population of each county bears to the total rural population of the state. "Rural population" as used here means the population in a county outside cities, towns, and urban areas having a population of twenty-five hundred (2,500) or more as shown by the most recent decennial census of the United States Bureau of the Census, and county population shall be determined by the most recent decennial census of the United States Bureau of the Census.
 - (c) One-fifth (1/5) shall be apportioned among the one hundred twenty (120) counties on the basis of the ratio that the public road mileage outside of cities, towns, and urban areas having a population of twenty-five hundred (2,500) or more bears to the total mileage of such roads for the entire state.
 - (d) Two-fifths (2/5) shall be apportioned among the one hundred twenty (120) counties on the basis of the ratio which the square-mile rural area of the county bears to the total square-mile rural area of the state. "Rural area" as used here means that area of the county outside of cities, towns, and urban areas having a population of twenty-five hundred (2,500) or more and shown by the most recent decennial census of the United States Bureau of the Census.
- (2) A sum not exceeding six percent (6%) of the allocation provided by KRS 177.320(1) to each county shall be deducted at the beginning of each fiscal year and adjusted quarterly to cover the maintenance, administrative, engineering, and other costs of the program.
- (3) Of the total amount apportioned by the provisions of this section, a sum not exceeding six percent (6%) may be deducted and placed by the Department of Rural and Municipal Aid in a special emergency account to be expended at the direction of the commissioner to meet unforeseen emergencies on rural and secondary roads and bridges.
- (4) Apportionments as required by the provisions of this section shall be made on the basis of revenue estimates supplied by the Finance and Administration Cabinet and adjusted quarterly in accordance with the most recent revision of the estimates by the Finance and Administration Cabinet.
- (5) Any county eligible to receive county road aid moneys in accordance with KRS 177.320 and this section shall be required to submit a uniform financial information report to the Department for Local Government in accordance with KRS 65.905 before any payment of county road aid funds shall be made. The Department for Local Government shall notify the Department of Rural and Municipal Aid no later than March 1 annually of any county that has not submitted a uniform financial information report. The Department of Rural and Municipal Aid shall, upon notification by the Department for Local Government, immediately suspend all county road aid moneys to the county until the county complies with the provisions of KRS 65.900 to 65.925 and submits the uniform financial information report to the Department for Local Government. The Department for Local Government shall immediately notify the Department of Rural and Municipal Aid to

reinstate county road aid moneys to any county affected by this subsection as soon as the county submits the uniform financial information report.

- (6) ***In distributing county road aid funds received by a consolidated local government established under KRS Chapter 67C, a consolidated local government shall establish procedures to identify project needs in unincorporated areas that prioritize consideration of the following factors:***

- (a) ***Population growth;***
- (b) ***Population density; and***
- (c) ***Economic development potential.***

➔Section 8. KRS 67C.321 is amended to read as follows:

- (1) ***Subject to the provisions of this chapter,*** any officer may be removed, suspended for a period not to exceed thirty (30) days, laid-off, or reduced in grade by the chief. ***Before the discipline may be issued, the chief shall:***~~[for any cause which promotes the efficiency of the services, but before any such action is taken by the chief against any officer, the chief shall]~~
- (a) ***Furnish the officer***~~[concerned]~~ ***with a written statement describing the charges being made against the officer, the evidence upon which the charges are based, and the discipline the chief intends to issue; and***
 - (b) ***Provide the officer the opportunity for a pre-disciplinary hearing, presided over by the chief or the chief's designee, in which the officer may present evidence and call and cross-examine witnesses in the officer's defense.***
- (2) ***After any pre-disciplinary hearing conducted under subsection (1)(b) of this section, the chief or the chief's designee shall issue a written opinion setting forth the final discipline issued against the officer. The officer may appeal the discipline issued under this section to the board within ten (10) days of the issuance of the written opinion.***
- (3) ***If the officer elects not to proceed with a pre-disciplinary hearing under subsection (1)(b) of this section, the discipline stated in the written statement required by subsection (1)(a) of this section shall become final ten (10) days after that statement is furnished to the officer.***
- (4) ***After any citizen makes a written, sworn complaint of misconduct concerning the actions of any police officer, if the chief of police determines not to file charges against the officer based on that complaint,***~~[of the reasons why the described action is being taken. The officer may be reduced, removed, suspended for a period not to exceed thirty (30) days, or laid off from the date the written statement of reasons is served upon her or him. Each officer removed, suspended for a period not to exceed thirty (30) days, laid off, or reduced in grade shall be allowed a period of ten (10) days within which the officer may file a written answer to the charges and the reasons which caused her or his suspension, removal, or reduction. This answer shall be made a part of the official records of the police department. No trial or examination of witnesses shall be required in any such case except at the discretion of the chief. The chief shall likewise furnish a copy of the written charges and reasons for her or his action to the board.]~~
- ~~(2) Any citizen who makes written, sworn charges of misconduct concerning the actions of any police officer shall present the charges to the chief of police who shall investigate the charges. The chief of police shall determine what action, if any, shall be taken against the officer, subject to the limitations set out in this chapter. [the citizen may appeal the determination of the chief of police to the board.]~~

➔Section 9. KRS 67C.323 is amended to read as follows:

In all cases provided for in KRS 67C.321, the ***discipline issued by the chief, upon final opinion issued by the chief, or the chief's designee following the pre-disciplinary hearing, shall be reviewed by the board as follows***~~[action of the chief shall be final except in the following cases]:~~

- (1) ***All discipline consisting of either***~~[Every action in the nature of]~~ a dismissal, suspension, or demotion of a nonprobationary officer made by the chief shall be subject to review by the board~~[at the request of any officer affected by KRS 67C.301 to 67C.327].~~ ***Discipline consisting of***~~[An appeal to the board of a]~~ dismissal, demotion, or a forty (40) hour or more suspension of a nonprobationary officer shall be heard by the full board. The board shall give notice and hold a ~~[public]~~ hearing. After the hearing, the board shall, ***without the parties to the appeal,*** retire in executive session to discuss the evidence introduced at the hearing and to make

its determination and conclusion. While in executive session, the board shall not receive any further evidence or communication from any source prior to reaching its determination and conclusion. The board, while in executive session, may request and receive legal advice from board counsel on specific legal issues which may arise during deliberations. If a majority of the members of the board are of the opinion that the **discipline issued by the chief is unsupported by a preponderance of the evidence or that the discipline** ~~action of the chief~~ is unjustified, ~~or unsupported by proper evidence, the order of the chief may be set aside and revoked by the board, and~~ the board may impose the penalty or punishment it deems necessary and appropriate, if any; provided however, the board shall not impose a penalty or punishment in excess of the **discipline issued** ~~by action of~~ the chief. No officer shall be removed or dismissed except as provided for in this section.

- (2) **All discipline consisting of** ~~An appeal to the board of~~ a suspension of a nonprobationary officer of less than forty (40) hours may be heard by the full board or any hearing officer secured by the board. If the appeal **of the discipline** is heard by a hearing officer, all rules established by the board relating to **disciplinary hearings** ~~appeals of disciplinary actions~~ shall be applicable. After the hearing, the hearing officer shall complete and submit to the board, no later than thirty (30) days after the hearing, a written recommended order which shall include his **or her** findings of fact, conclusions of law, and recommended disposition of the appeal **of the discipline**, which may include recommended penalties. The recommended order shall also include a statement advising the ~~appealing~~ officer and chief fully of their exception and appeal rights. A copy of the hearing officer's recommended order shall be sent to the appealing officer and chief. Each party shall have fifteen (15) days from the date the recommended order is mailed within which to file exceptions to the recommendations with the board. The board shall consider the record including the recommended order **and in** any exceptions duly filed to a recommended order, and accept and adopt or reject or modify, in whole or in part, the recommended order, or remand the ~~appeal of the~~ matter, in whole or in part, to the hearing officer for further proceedings as appropriate. The final order of the board shall be in writing. If the final order differs from the recommended order, it shall include separate statements of findings of fact and conclusions of law. The board shall render a final order in an administrative hearing within thirty (30) days after receipt of the hearing officer's recommended order.
- (3) (a) Every action of a dismissal, suspension, or demotion made by the board shall be final, except that any person aggrieved may, within thirty (30) days after the action, appeal to the Circuit Court of the county in which the board meets. The board shall be named respondent as the consolidated local government police force merit board, and service shall be had on the chairman of the board. Notice of the appeal shall be given to the chief or the officer if not already a party to the appeal as real parties in interest. The appeal taken to the Circuit Court shall be docketed by the clerk as a civil action with appropriate judicial review of an administrative action or decision.
- (b) The judgment of the Circuit Court shall be subject to appeal to the Court of Appeals. The procedure as to the appeal to the Court of Appeals shall be the same as in any civil action.

➔Section 10. KRS 67C.326 is amended to read as follows:

(1) **As used in this section:**

- (a) **"Citizen "means any individual who is not:**
1. **A member or supervisor within the law enforcement agency that employs an officer; or**
 2. **An elected or appointed official within the unit of government under which the law enforcement agency that employs the officer is organized;**
- (b) **"Complaint" means any statement by a citizen, whether written or verbal, that alleges any type of misconduct by an officer, including any statement that is submitted or received anonymously;**
- (c) **"Disciplinary action" means termination, demotion, a decrease in pay or grade, suspension without pay, or a written reprimand;**
- (d) **"Interrogation" means a formal investigative interview and does not mean conversations or meetings of supervisory personnel and subordinate officers that are not intended to result in disciplinary action, such as conversations or meetings held for the purpose of providing corrective instruction, counseling, or coaching; and**
- (e) **"Misconduct" means any act or omission by that officer that violates criminal law or the rules and administrative regulations of the department or consolidated local government.**

- (2) In order to establish a minimum system of professional conduct ~~for~~~~of~~ the police officers of consolidated local governments of this Commonwealth, the following standards ~~of conduct~~ are stated as the intention of the General Assembly to deal fairly and ~~establish~~~~set~~ administrative due process rights for police officers of the consolidated local government and, at the same time, ~~provide~~~~providing~~ a means for redress by the citizens of the Commonwealth for wrongs allegedly done to them by police officers covered by this section:
- (3)(a) Any complaint taken from **a citizen**~~any individual~~ alleging misconduct on the part of any police officer, as defined herein, shall be taken as follows:
- (a)~~1.~~ If the complaint alleges criminal activity ~~by~~~~on behalf of~~ a police officer, the allegations may be investigated without a signed, sworn complaint of the **citizen**~~individual~~;
 - (b)~~2.~~ If the complaint alleges **any other type of misconduct**~~abuse of official authority or a violation of rules and regulations of the department~~, an affidavit, signed and sworn to by the **citizen**~~complainant~~, shall be obtained, **except as provided by paragraph (c) of this subsection; or**
 - (c)~~3.~~ If a complaint is required to be obtained and the **citizen**~~individual~~, upon request, refuses to make allegations under oath in the form of an affidavit, signed and sworn to, the department may investigate the allegations, but shall bring charges **under subsection (6) of this section** against the police officer only if the department can independently substantiate the allegations absent the sworn statement of the **citizen**~~complainant~~;
- ~~4. Nothing in this section shall preclude a department from investigating and charging an officer both criminally and administratively;~~
- (4) (a) *When an officer is accused of misconduct by any individual within the department employing the police officer, including supervisors and elected or appointed officials of the police officer's department, or by a citizen complaint, the department shall conduct any investigation subject to the provisions of subsection (5) of this section, formally charge the police officer in accordance with subsection (6) of this section, and conduct a hearing in accordance with subsection (7) of this section before any disciplinary action is taken against the police officer.*
- (b) *The provisions of this subsection shall not prevent the department from suspending the police officer, with or without pay, during an investigation and pending the final disposition of any formal charges, except that a police officer suspended without pay shall be entitled to full back pay and benefits for the regular hours the officer would have worked if no formal charges were brought or the board finds the officer not guilty of the charges.*
- (5) (a) *Any complaint filed by a citizen under subsection (3) of this section or any allegation of misconduct under subsection (4) of this section shall be investigated by the department or another designated law enforcement agency if the department determines that an investigation of the complaint or the alleged misconduct is warranted.*
- (b) No threats, promises, or coercions shall be used at any time against any police officer while he or she is a suspect in a criminal or departmental matter. Suspension from duty with or without pay, or reassignment to other than an officer's regular duties during the period, shall not be deemed coercion. Prior to or within twenty-four (24) hours after suspending the officer pending investigation or disposition of a complaint, the officer shall be advised in writing of the reasons for the suspension;
- (c) No police officer shall be subjected to interrogation in a departmental matter involving alleged misconduct on his or her part, until forty-eight (48) hours have expired from the time the request for interrogation is made to the accused officer, in writing. The interrogation shall be conducted while the officer is on duty. **The notice of interrogation shall include a statement of any reason for the interrogation and served on the officer by certified mail, return receipt requested, or by personal delivery**~~The police officer may be required to submit a written report of the alleged incident if the request is made by the department no later than the end of the subject officer's next tour of duty after the tour of duty during which the department initially was made aware of the charges;~~
- (d) ***If requested by the department no later than the end of the subject officer's next tour of duty after the tour of duty during which the department initially was made aware of the allegations of misconduct, the officer shall submit a written report of the alleged incident;***
- (e) If a police officer is under arrest, or likely to be arrested, or a suspect in any criminal investigation, he **or she** shall be afforded the same constitutional due process rights that are accorded to any civilian,

including but not limited to the right to remain silent and the right to counsel, and shall be notified of those rights before any questioning commences~~[. Nothing in this section shall prevent the suspension with or without pay or reassignment of the police officer pending disposition of the charges];~~

- (6) (a) ~~(e)~~ ***If it is determined through investigation or other means that the facts alleged in a citizen complaint or other allegation of misconduct warrant disciplining the officer, the department shall provide the officer the written statement required in subsection (1)(a) of Section 8 of this Act, which***~~[Any charge involving violation of any consolidated local government rule or regulation]~~ ***shall include***~~[be made in writing with]~~ sufficient specificity so as to fully inform the police officer of the nature and circumstances of the alleged violation in order that he ***or she*** may be able to properly defend himself ***or herself***.
- (b) The ***written statement***~~[charge]~~ shall be ***signed by the chief, set out the disciplinary action intended by the chief, and be*** served on the police officer in writing ***by certified mail, return receipt requested, or by personal delivery.***~~[;]~~
- (c) ~~(f)~~ When a police officer has been charged with ***misconduct***~~[a violation of departmental rules or regulations]~~, no public statements shall be made concerning the alleged violation by any person or persons of the consolidated local government or the police officer so charged, until final disposition of the charges.~~[;]~~
- (d) ~~(g)~~ No police officer as a condition of continued employment by the consolidated local government shall be compelled to speak or testify or be questioned by any person or body of a nongovernmental nature.~~[; and]~~
- (7) ~~(h)~~ ***Subject to Section 8 of this Act and KRS 67C.321 and KRS 67C.325, a hearing shall be conducted by the board to determine whether the discipline issued by the chief is supported by a preponderance of the evidence and whether the disciplinary action recommended by the chief is justified. In conducting a hearing***~~[When a hearing is to be conducted by any appointing authority, legislative body, or other body as designated by the Kentucky Revised Statutes]~~, the following administrative due process rights shall be recognized and these shall be the minimum rights afforded any police officer charged, ***except as otherwise agreed to in writing by the officer and the employing agency:***
- (a) ~~(1)~~ The accused police officer shall have been given at least ***twelve (12) days' written***~~[seventy-two (72) hours]~~ notice of any hearing. ***The notice shall be served on the officer by certified mail, return receipt requested, or by personal delivery;***
- (b) ~~(2)~~ Copies of any sworn statements or affidavits to be considered by the ***board***~~[hearing authority]~~ and any exculpatory statements or affidavits shall be furnished to the police officer no less than ***twelve (12) days***~~[seventy-two (72) hours]~~ prior to the time of any hearing;
- (c) ~~(3)~~ ~~At~~~~[If]~~ any hearing~~[is]~~ based upon ***the sworn***~~[a]~~ complaint of ***a citizen***~~[an individual]~~, the ***citizen***~~[individual]~~ shall be notified to appear at the time and place of the hearing by certified mail, return receipt requested, ***or by personal delivery;***
- (d) ~~(4)~~ If the return receipt has been returned unsigned, or the ***citizen***~~[individual]~~ does not appear, except where due to circumstances beyond his ***or her*** control he ***or she*** cannot appear~~[;]~~ at the time and place of the hearing, any charge ***resulting from a complaint*** made by that ***citizen***~~[individual]~~ shall not be considered by the hearing authority and shall be dismissed with prejudice;
- (e) ~~(5)~~ The accused police officer shall have the right and opportunity to obtain and have counsel present, and to be represented by the counsel;
- (f) ~~(6)~~ The ***board***~~[appointing authority, legislative body, or other body as designated by the Kentucky Revised Statutes]~~ shall subpoena and require the attendance of witnesses and the production by them of books, papers, records, and other documentary evidence at the request of the accused police officer or the ***chief***~~[charging party]~~. If any person fails or refuses to appear under the subpoena, or to testify, or to attend, or produce the books, papers, records, or other documentary evidence lawfully required, the ***board***~~[appointing authority, legislative body, or other body as designated by the Kentucky Revised Statutes]~~ may report to the Circuit Court or any judge thereof the failure or refusal, and apply for a rule. The Circuit Court, or any judge thereof, may on the application compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from the court;

- (g) ~~7.~~ The accused police officer shall be allowed to **present** ~~have presented,~~ witnesses and any documentary **or other relevant** evidence the police officer wishes to provide to the **board** ~~hearing authority~~, and may cross-examine all witnesses called by the charging party;
- (h) ~~8.~~ For any police officer suspended with or without pay who is not given a hearing as provided by this section within sixty (60) days **his or her appeal of the final opinion by the chief or the chief's designee, the discipline and charges issued by the chief** ~~of any charge being filed, the charge then~~ shall be dismissed with prejudice, **shall** ~~and~~ not be considered by **the board**, ~~any hearing authority~~ and the officer shall be reinstated with full back pay and benefits; ~~and~~
- (i) **Any police officer who has been suspended without pay who is found not guilty of the charges by the board shall be reinstated with the full back pay and benefits for the regular hours he or she would have worked;**
- (j) ~~9.~~ The failure to provide any of the rights or to follow the provisions of this section may be raised by the officer with the hearing authority. The hearing authority shall not exclude proffered evidence based on failure to follow the requirements of this section but shall consider whether, because of the failure, the proffered evidence lacks weight or credibility and whether the officer has been materially prejudiced; **and**
- (k) **To the extent the provisions of KRS 61.805 to 61.850 are applicable, the board may conduct the hearing required by this subsection in a closed session unless the police officer requests of the board, in writing at least three (3) days prior to the hearing, that the hearing be open to the public.**
- (8) **As the provisions of this section relate to a minimum system of professional conduct, nothing in this section shall be interpreted or construed to:**
- (a) **Limit or in any way affect any rights previously afforded to a police officer of the consolidated local government by statute, collective bargaining or working agreement, or legally adopted ordinance;**
 - (b) **Preclude a consolidated local government from investigating and charging a police officer both criminally and administratively; or**
 - (c) **Prevent the suspension, with or without pay or reassignment, of a police officer during an investigation and pending the final disposition of charges**
- ~~(2) Any police officer who shall be found guilty by any hearing authority of any charge may bring an action in the Circuit Court in the county in which the consolidated local government is located to contest the action of that hearing authority, and the action shall be tried as an original action by the court.~~
- ~~(3) The judgment of the Circuit Court shall be subject to appeal to the Court of Appeals. The procedure as to appeal to the Court of Appeals shall be the same as in any civil action. As the provisions of this section relate to a minimum system of professional conduct, nothing in this section shall be construed as limiting or in any way affecting any rights previously afforded to police officers of the consolidated local government by statute, ordinance, or working agreement.~~

➔Section 11. (1) Each consolidated local government shall establish, support, and maintain through December 31, 2024, a Property Valuation Review Commission. The purpose of this commission shall be to review appropriate records to ensure that the property valuation administrator of the county containing the consolidated local government assesses property within the county consistently and that property types or classifications are assessed uniformly within the boundaries of the consolidated local government for all taxable property assessed as of January 1, 2023. The commission shall identify the various property types or classifications that exist within the boundaries of the county containing the consolidated local government and review sufficient sample properties to determine consistency and uniformity. The property valuation administrator shall cooperate with the requests of the commission for the purposes of this section. The commission shall not disclose any confidential or proprietary information provided to it by the property valuation administrator.

- (2) The commission shall be composed of seven (7) members appointed by the mayor as follows:
 - (a) Three (3) members recommended by an association of realtors active within the county containing the consolidated local government of which one (1) shall be a real estate broker;
 - (b) One (1) member recommended by a commercial real estate association active within the county containing the consolidated local government;

(c) Two (2) members representing a national association of real estate brokers, one (1) of which shall be:

1. Recommended by a residential appraisal business entity that commonly makes residential appraisals within the county containing the consolidated local government; and

2. Selected and appointed by the mayor of the consolidated local government under the general authority of this subsection; and

(d) One (1) member recommended by a local association exclusively representing cities within the county containing the consolidated local government.

(3) Each entity set out in subsection (2) of this section shall make its recommendations for appointments within thirty (30) days of the effective date of this Act. The mayor shall complete the appointment no later than sixty (60) days after the effective date of this Act. Vacancies shall be filled in the same manner as the original appointments and as soon as possible after the vacancy.

(4) Each member of the commission shall be qualified to evaluate property for tax assessment purposes.

(5) Commission members shall be entitled only to reimbursement from the consolidated local government for actual expenses incurred in the performance of their duties as commission members.

(6) The commission shall elect from its members one (1) member to serve as chair, one (1) member to serve as vice-chair, and one (1) member to serve as secretary.

(7) If the commission selects a property for review in which a commission member has a personal or private interest, that member shall disclose his or her interest to the commission and shall refrain from evaluating that property. Any such disclosure shall be made a public record of the commission.

(8) The commission shall make a report of its findings and transmit those findings to the Legislative Research Commission, the mayors and metro councils of the consolidated local governments, and the Finance and Administration Cabinet no later than December 31, 2024, after which the commission shall be dissolved.

➔Section 12. (1) No consolidated local government shall amend its land development code zoning classifications in its land development code to change permitted, conditional, or any other uses involving residential uses or change the characteristics of those uses that could increase the allowable density of:

(a) Residential units per acre or any other unit describing land size; or

(b) Inhabitants of any residential units;

in any zoning district classifications after the effective date of this Act and prior to April 15, 2025. Map amendments using the zoning district classifications in existence as of the effective date of this Act shall be allowed.

(2) (a) The mayor of each consolidated local government within the Commonwealth shall conduct a review of:

1. The requirements in the Kentucky Revised Statutes relating to the makeup of the planning commission membership as set out in KRS 100.137 and the processes for amendments to the zoning map and any other land use management requirements set out in KRS Chapter 100 that the consolidated local government is required to follow; and

2. Its land development code relative to all zoning classifications involving residential uses.

(b) In reviewing the requirements of the Kentucky Revised Statutes relating to paragraph (a)1. of this subsection, the mayor shall consider what changes to the statutes will result in the most efficient uses of the resources of the consolidated local government while providing the residents and property owners of the consolidated local government with ample opportunity to provide input into the planning and zoning process.

(c) In reviewing the land development code relating to paragraph (a)2. of this subsection, the mayor shall consider what changes to the land development code will provide the best results in providing present and prospective residents of the consolidated local government with housing that can meet their financial means while ensuring that the financial investment of property owners and the quality of life for all is enhanced.

➔Section 13. Sections 4, 5, 6, 8, 9, and 10 of this Act take effect January 1, 2025.

➔Section 14. Whereas it is imperative to make the appointments in a timely manner, give the commission time to perform its task within the time limits, allow the mayor to commence the required reviews, and initiate the suspension of specified amendments of the land development code made by the consolidated local government, an

emergency is declared to exist, and Sections 11 and 12 of this Act take effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Veto Overridden April 12, 2024.