

CHAPTER 141**(HB 333)**

AN ACT relating to prosecution proceedings.

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

➔Section 1. KRS 69.210 is amended to read as follows:

- (1) The county attorney shall attend the fiscal court or consolidated local government and conduct all business touching the rights or interests of the county or consolidated local government, and when so directed by the fiscal court or consolidated local government, he or she shall institute, defend, and conduct all civil actions in which the county or consolidated local government is interested before any of the courts of the Commonwealth.
- (2)
 - (a) The county attorney shall attend to the prosecution in the juvenile session of the District Court of all proceedings held pursuant to petitions filed under KRS Chapter 610 and over which the juvenile session of the District Court has jurisdiction pursuant to KRS Chapter 610.
 - (b) Notwithstanding paragraph (a) of this subsection, the attorneys for the Cabinet for Health and Family Services may attend to the prosecution of any case under KRS Chapter 620 upon written **consent** ~~of notice to~~ the county attorney and judge of the District Court or family division of the Circuit Court.
- (3) The county attorney shall give legal advice to the fiscal court or consolidated local government and the several county or consolidated local government officers in all matters concerning any county or consolidated local government business within their jurisdiction. He or she shall oppose all unjust or illegally presented claims.
- (4) A county attorney serving in a county, consolidated local government, or urban-county which is part of a judicial circuit described by KRS 69.010(2), in addition to the duties in subsections (1) and (2) of this section, shall have the following duties:
 - (a) He or she shall attend all civil cases and proceedings in his or her county in which the Commonwealth is interested; and
 - (b) He or she shall advise the collector of money due the Commonwealth in the county or consolidated local government in regard to motions against delinquent collecting officers for failing to return executions, and shall prosecute the motions. In no case shall the county attorney take a fee or act as counsel in any case in opposition to the interest of the county or consolidated local government.

Signed by Governor April 9, 2024.