

67.050 County commissioners -- Election to ascertain having -- Return to prior form of government.

- (1) Any county may have a fiscal court consisting of the county judge/executive and three (3) commissioners elected from the county at large. To ascertain whether the county desires to have county commissioners, the county judge/executive, upon an application by written petition signed by registered voters of the county equal in number to at least fifteen percent (15%) of the total number of votes cast in the county in the preceding presidential election or one thousand two hundred (1,200) registered voters of the county, whichever is less, shall enter an order on his order book calling an election to submit to the legal voters of the county the following question: "Are you for or against having a fiscal court composed of three (3) commissioners and the county judge/executive?" The order shall be entered at the next regular term after the petition is filed, and shall direct the election to be held at the next regular election to be held in the county if the order is filed with the county clerk not later than the second Tuesday in August preceding the day of the regular election. The county clerk shall give to the sheriff or other officer appointed to hold the election a certified copy of the order within five (5) days after the order is made, and the sheriff or other officer shall have the order published pursuant to KRS Chapter 424 and in addition advertise it by printed handbills posted at one (1) or more conspicuous places in each precinct in the county for the length of time that publication is required, stating when the election will be held and the purpose thereof.
- (2) All such elections shall be held under the general election laws. No such election shall be held in any county more often than once in four (4) years.
- (3) Any county that has voted in favor of having county commissioners may return to its prior form of government by following the same procedures as provided in subsections (1) and (2) of this section, by which it chose to have county commissioners. A petition for an election on a return to a fiscal court composed of justices of the peace and the county judge/executive shall state a proposed number of justices of the peace. The question to be submitted to the voters shall be in the following form: "Are you in favor of a return to a fiscal court composed of the county judge/executive and (insert the proposed number of justices) justices of the peace who shall represent specific districts within the county?"
- (4) If a majority of the votes cast at an election held under subsection (3) of this section are in favor of a return to a fiscal court composed of justices of the peace and the county judge/executive, the fiscal court shall, if necessary, initiate proceedings to reapportion the justices districts, and such reapportionment shall conform to the requirements of KRS 67.045. The change in the composition of the fiscal court shall become effective upon the assumption of office of justices of the peace elected at the next regular election for that office.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 335, sec. 1, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 195, sec. 33, effective July 15, 1996. -- Amended 1984 Ky. Acts ch. 107, sec. 1, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 384, sec. 142, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 20, sec. 6,

effective January 2, 1978. -- Amended 1968 Ky. Acts ch. 80, sec. 1. -- Amended 1966 Ky. Acts ch. 239, sec. 14. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1847.