

107.360 Submission of question of project to voters -- Procedure on approval.

- (1) Prior to or concurrently with the adoption by the board of a resolution requesting the fiscal court to levy an ad valorem tax, the board shall have determined the nature and approximate cost of the project or projects to be financed through the issuance of bonds (whether revenue or general obligation bonds) to be retired through the levy of the tax. In determining the nature of a project the board may include more than one (1) improvement item in a single project. The resolution designating the project or projects and the estimated and approximate cost of each, shall be forwarded to the fiscal court, which shall thereafter, on behalf of the district, cause said resolution to be published in the newspaper of bona fide circulation as provided in KRS 424.130. Thereafter the fiscal court shall cause to be prepared a question for submission to the voters of the district at the next regularly scheduled November election as to whether or not the project, or any one (1) or more projects if there be more than one (1), shall be disapproved. The question shall be filed with the county clerk not later than the second Tuesday in August preceding the regular election. The question shall be so framed that any voter who wishes to vote for the project, or for any project designated as a single project if there be more than one (1) project, may signify his approval by voting "yes," and any voter who wishes to vote against any project so designated may do so by voting "no" on the question of that project. If a majority of those voting on the question of any project shall approve the particular project, that project shall be adopted, and the board shall proceed to initiate issuance of the authorized bonds as provided in KRS 107.310 to 107.500. The county clerk shall cause such question to be prepared for presentation to the voters, and the election results shall be canvassed and certified by the county board of election commissioners.
- (2) If the project is approved as herein provided, the tax necessary to finance the approved project shall be computed by the board and transmitted to the fiscal court, which shall levy the tax as provided in KRS 107.350. Nothing in KRS 107.310 to 107.500 shall be deemed to require the fiscal court to levy a tax in any year unless general obligation bonds have been issued as provided in KRS 107.460, and then only to the extent of requirements for amortization of such bonds.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 195, sec. 51, effective July 15, 1996. -- Amended 1982 Ky. Acts ch. 360, sec. 33, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 384, sec. 239, effective June 17, 1978. -- Amended 1972 Ky. Acts ch. 313, sec. 4. -- Created 1970 Ky. Acts ch. 155, sec. 6.