

23A.206 Additional costs imposed in criminal cases -- Funds distributed to local governments and counties -- Funds used for police, jails, and transport of prisoners.

- (1) For the purposes of this section:
 - (a) "Local government" means a city, county, charter county, urban-county, or consolidated local government; and
 - (b) "Police department" means a police department created by a local government which employs one (1) or more officers certified pursuant to KRS 15.380 to 15.404.
- (2) In criminal cases a fee of twenty dollars (\$20) shall be added to the costs imposed by KRS 23A.205 that the defendant is required to pay.
- (3) The circuit clerk shall pay the funds from fees collected under this section to the Finance and Administration Cabinet pursuant to KRS 23A.215 for distribution as provided in subsection (5) of this section to local governments with police departments or local governments that contract for police services, and to counties with fiscal responsibilities for jails or the transporting of prisoners.
- (4) All funds distributed to local governments shall be used for payment of expenses for operation of the local government's police department or contracted police services. All funds distributed to counties with fiscal responsibilities for jails or the transporting of prisoners shall be used for the payment of costs associated with the housing or transporting of prisoners.
- (5) Payments shall be distributed quarterly by the Finance and Administration Cabinet beginning October 1, 2004, as follows:
 - (a) Thirty percent (30%) of the total shall be distributed equally to all local governments with police departments or that contract for police services;
 - (b) Fifty percent (50%) of the total shall be distributed to local governments with police departments or local governments that contract for police services on a per capita basis according to the number of certified police officers employed by the police department on July 1 each year or providing services to the local government pursuant to a contract on July 1 of each year. For purposes of this subsection, each local government that contracts for police services shall be considered to employ one (1) police officer for each sixty thousand dollars (\$60,000) it expends during each fiscal year for police services under a written contract; and
 - (c) Twenty percent (20%) of the total shall be distributed equally to counties with fiscal responsibilities for jails or the transporting of prisoners.
- (6) On or before August 1 of each year, the Justice and Public Safety Cabinet shall certify to the Finance and Administration Cabinet the number of certified police officers employed by each local government.
- (7) On or before August 1 of each year, each local government contracting for police services shall certify to the Finance and Administration Cabinet the amount of money expended for police services under a written contract during the previous fiscal year.

- (8) The Finance and Administration Cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A deemed necessary for the administration of this section.

Effective: June 26, 2007

History: Amended 2007 Ky. Acts ch. 85, sec. 108, effective June 26, 2007. -- Created 2004 Ky. Acts ch. 78, sec. 1, effective April 6, 2004.