

76.410 Exception to limitation of KRS 220.535.

Language in KRS 220.535, limiting the powers of annexation to a sanitation district in a county not containing a city of the first class, shall not be applicable to sewer construction districts which may use this method of annexation, even if they are located in a county containing a city of the first class, and the secretary of the Energy and Environment Cabinet shall function in regard to annexations by them in the same manner and under the same procedures as set out in KRS 220.535 to 220.537 as he would in his capacity as commissioner of sanitation districts for any sanitation district.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 71, effective July 15, 2010. -- Created 1962 Ky. Acts ch. 263, sec. 2.

Legislative Research Commission Note (9/19/95). The reference to "the Director of Sanitary Engineering of the Department of Health" in the original text of this statute (1962 Ky. Acts ch. 263, sec. 2) was mistakenly changed to "the director of sanitary engineering of the Department [now Cabinet] for Human Resources" on the basis of 1974 Ky. Acts ch. 74, Art. VI, sec. 107(11). However, the functions of this officer as they related to KRS 220.535 to 220.537, cited in this statute, were transferred to the commissioner of environmental protection in the amendment of KRS 220.020 by 1972 (1st Extra. Sess.) Ky. Acts ch. 3, sec. 30; these functions now are held by the secretary of the Natural Resources and Environmental Protection Cabinet (1974 Ky. Acts, ch. 74, Art. III, sec. 13(2) & (9); 1982 Ky. Acts ch. 393, sec. 50(3)). Because of this, and pursuant to KRS 7.136(2), "the secretary of the Natural Resources and Environmental Protection Cabinet" has been substituted in this statute where "the Director of Sanitary Engineering of the Department of Health" originally appeared.