

78.5302 Duties of county attorney as employer.

- (1) Any county attorney who employs persons paid from the county attorney's delinquent tax fees, from federal or state grant funds received for the county attorney's delinquent child support collection responsibilities, or from any other funding source not subject to the control of the fiscal court, urban-county government, or Prosecutors Advisory Council, or any county attorney who supplements the wages of a County Employees Retirement System or Kentucky Employees Retirement System member from these sources, shall participate as an employer in the County Employees Retirement System or the Kentucky Employees Retirement System in the manner prescribed in this section.
- (2) It shall be the responsibility of each county attorney, participating as an employer in the County Employees Retirement System or the Kentucky Employees Retirement System, to determine membership in the appropriate retirement system for each employee being paid in the manner described in subsection (1) of this section. In making this determination, the participating county attorney shall consider whether the job function of each affected employee is related to the prosecutorial duties of the county attorney's office and is therefore subject to Kentucky Employees Retirement System membership, or the legal representation of the fiscal court and other county officers and is therefore subject to County Employees Retirement System membership, and the county attorney shall certify the same to the board on forms provided by the board. For persons already participating in the County Employees Retirement System or the Kentucky Employees Retirement System, whose wages are supplemented by the participating county attorney, the county attorney shall make the required contributions for the supplementary wages to the person's current retirement system.

Effective: July 14, 1992

History: Created 1992 Ky. Acts ch. 237, sec. 1, effective July 14, 1992.