

**67.040 Fiscal court -- Members -- Presiding officer -- Deadlock.**

- (1) The fiscal court of each county shall consist of the county judge/executive and the justices of the peace of the county; or of the county judge/executive and three (3) county commissioners elected under KRS 67.050 and 67.060.
- (2) The county judge/executive shall preside, if present. A majority of the justices of the peace or commissioners shall elect one (1) of their number to preside during the absence or inability of the county judge/executive to preside. If any person fails to comply with a lawful order of the fiscal court, the Circuit Court, on application by the county judge/executive, may compel obedience by proceedings for contempt.
- (3) When there is a tie vote in the fiscal court in the selection of any officer or employee to be selected by the fiscal court, and a deadlock results and continues for fifteen (15) days or longer, the county judge/executive shall cause to be entered upon the minutes of the fiscal court an order reciting the facts as to the deadlock, and the question upon which it has occurred and exists, and thereupon, the county judge/executive shall make such appointment.

**Effective:** June 17, 1978

**History:** Amended 1978 Ky. Acts ch. 118, sec. 7, effective June 17, 1978; and ch. 384, sec. 141, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 20, sec. 6, effective January 2, 1978. -- Amended 1952 Ky. Acts ch. 224, sec. 1. - - Amended 1942 Ky. Acts ch. 173, secs. 1 and 2. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec.1833, 1836, 1837.

**Legislative Research Commission Note.** This section was amended by two 1978 acts which do not appear to be in conflict and are compiled together.