

**177.366 Allocation of municipal aid funds -- Apportionments to be made on basis of revenue estimates -- Uniform financial information report.**

- (1) Except as provided in subsection (8) of this section, on and after July 1, 1980, the Finance and Administration Cabinet shall allocate to each incorporated city and "unincorporated urban place" its pro rata share of the funds set apart for construction, reconstruction, and maintenance of urban roads and streets on the basis of the ratio which the population in the incorporated cities and in "unincorporated urban places" bears to the total population in incorporated cities and in "unincorporated urban places" of the state. "Unincorporated urban places" as used here, means an area as defined in KRS 81.015, and any area outside of incorporated cities, which area has a population of 2,500 or more as shown by the most recent decennial census of the United States Bureau of the Census, and all populations shall be determined by the most recent decennial census of the United States.
- (2) Any area which becomes incorporated after December 31, 1970, shall not be eligible to participate in the Municipal Aid Program until the beginning of the second fiscal year following its incorporation and population certification. It shall be the responsibility of the newly incorporated area to provide the Finance and Administration Cabinet with documentation from the United States Bureau of the Census showing the population of the newly incorporated area as it existed at the time of the last decennial census.
- (3) In the event the newly incorporated area cannot obtain a population count from the Bureau of the Census, it shall not be eligible to participate in the Municipal Aid Program until the next decennial census.
- (4) If an incorporated city, whose incorporation took place prior to December 31, 1970, annexes additional area, the population of the annexed area will not be counted in the allocation of municipal aid funds until the beginning of the second fiscal year following annexation and population certification.
- (5) It shall be the responsibility of the incorporated city to provide the Finance and Administration Cabinet with documentation from the United States Bureau of the Census showing the population for the annexed area as it existed at the time of the last decennial census.
- (6) If the incorporated area cannot obtain a population count from the Bureau of the Census, the annexed area's population shall not be eligible to be counted in the distribution of the municipal aid fund. However, the streets included in the annexed areas shall be eligible to receive work through this program.
- (7) Apportionments as required by the provisions of this section shall be made on the basis of revenue estimates supplied by the Office of State Budget Director and shall be adjusted quarterly in accordance with the most recent revision of the estimates by the Office of State Budget Director.
- (8) Any local government eligible to receive municipal road aid moneys pursuant to KRS 177.365 to 177.369 shall be required to submit a uniform financial information report to the Department for Local Government pursuant to KRS

65.905 before any payment of municipal road aid funds shall be made. The Department for Local Government shall notify the Finance and Administration Cabinet no later than March 1 annually of any local government that has not submitted a uniform financial information report. The Finance and Administration Cabinet shall, upon notification by the Department for Local Government, immediately suspend all municipal road aid moneys to the local government until the local government complies with the provisions of KRS 65.900 to 65.925 and submits the uniform financial information report to the Department for Local Government. The Department for Local Government shall immediately notify the Finance and Administration Cabinet to reinstate municipal road aid moneys to any local government affected by this subsection as soon as the local government submits the uniform financial information report.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 117, sec. 79, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 20, sec. 6, effective June 26, 2007; and ch. 47, sec. 83, effective June 26, 2007. -- Amended 2000 Ky. Acts ch. 46, sec. 26, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 69, sec. 66, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 47, sec. 6, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 273, sec. 11, effective July 15, 1988; and ch. 327, sec. 6, effective July 15, 1988. -- Amended 1980 Ky. Acts ch. 218, sec. 11, effective July 1, 1980. -- Amended 1974 Ky. Acts ch. 178, sec. 1. -- Created 1972 Ky. Acts ch. 61, sec. 12.

**Legislative Research Commission Note (6/26/2007).** This section was amended by 2007 Ky. Acts chs. 20 and 47, which are in conflict. Under KRS 446.250, Acts ch. 47, which was last enacted by the General Assembly, prevails.