

177.360 Allocation of funds for state-maintained roads -- Apportionments to be made on basis of revenue estimates -- Uniform financial information report required.

- (1) Except as provided in subsection (5) of this section, the Department of Rural and Municipal Aid shall allocate the funds set apart under KRS 177.320(1) for construction, reconstruction, and maintenance of state-maintained secondary and rural highways as follows:
 - (a) One-fifth (1/5) shall be apportioned equally among the one hundred twenty (120) counties.
 - (b) One-fifth (1/5) shall be apportioned among the one hundred twenty (120) counties on the basis of the ratio which the rural population of each county bears to the total rural population of the state. "Rural population" as used here means the population in a county outside cities, towns, and urban areas having a population of twenty-five hundred (2,500) or more as shown by the most recent decennial census of the United States Bureau of the Census, and county population shall be determined by the most recent decennial census of the United States Bureau of the Census.
 - (c) One-fifth (1/5) shall be apportioned among the one hundred twenty (120) counties on the basis of the ratio that the public road mileage outside of cities, towns, and urban areas having a population of twenty-five hundred (2,500) or more bears to the total mileage of such roads for the entire state.
 - (d) Two-fifths (2/5) shall be apportioned among the one hundred twenty (120) counties on the basis of the ratio which the square-mile rural area of the county bears to the total square-mile rural area of the state. "Rural area" as used here means that area of the county outside of cities, towns, and urban areas having a population of twenty-five hundred (2,500) or more and shown by the most recent decennial census of the United States Bureau of the Census.
- (2) A sum not exceeding six percent (6%) of the allocation provided by KRS 177.320(1) to each county shall be deducted at the beginning of each fiscal year and adjusted quarterly to cover the maintenance, administrative, engineering, and other costs of the program.
- (3) Of the total amount apportioned by the provisions of this section, a sum not exceeding six percent (6%) may be deducted and placed by the Department of Rural and Municipal Aid in a special emergency account to be expended at the direction of the commissioner to meet unforeseen emergencies on rural and secondary roads and bridges.
- (4) Apportionments as required by the provisions of this section shall be made on the basis of revenue estimates supplied by the Finance and Administration Cabinet and adjusted quarterly in accordance with the most recent revision of the estimates by the Finance and Administration Cabinet.
- (5) Any county eligible to receive county road aid moneys in accordance with KRS 177.320 and this section shall be required to submit a uniform financial information

report to the Department for Local Government in accordance with KRS 65.905 before any payment of county road aid funds shall be made. The Department for Local Government shall notify the Department of Rural and Municipal Aid no later than March 1 annually of any county that has not submitted a uniform financial information report. The Department of Rural and Municipal Aid shall, upon notification by the Department for Local Government, immediately suspend all county road aid moneys to the county until the county 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 Department of Rural and Municipal Aid to reinstate county road aid moneys to any county affected by this subsection as soon as the county submits the uniform financial information report.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 117, sec. 78, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 13, sec. 13, effective June 25, 2009. -- Amended 2007 Ky. Acts ch. 20, sec. 5, effective June 26, 2007; and ch. 47, sec. 82, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 98, sec. 10, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 69, sec. 65, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 47, sec. 7, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 273, sec. 10, effective July 15, 1988. -- Amended 1984 Ky. Acts ch. 350, sec. 7, effective July 13, 1984. -- Amended 1962 Ky. Acts ch. 101, sec. 1. -- Created 1948 Ky. Acts ch. 46, sec. 1.

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.