

224A.060 Authority is taxing district -- Power to levy taxes.

The authority is hereby declared to constitute an independent taxing district within the meaning of the Constitution of the Commonwealth of Kentucky, which authority, as an independent taxing district, shall encompass the entire geographical area of the Commonwealth of Kentucky. The General Assembly finds and determines as a legislative finding of fact that the use of water in any manner tending to contaminate it creates a pollutant, and that the public health, safety, and welfare of the citizens of Kentucky will best be served by the proper disposition thereof according to the highest public health standards. The carrying out of such objectives serves a statewide public purpose, not related to any specific area or locality of the state, but affecting the welfare and health of all Kentucky citizens and the future of the state, both functionally and economically. The authority, upon resolution duly adopted by its governing body, as an independent taxing district within the Commonwealth of Kentucky, may levy and collect a tax upon every purchase of water service or sewer service in the Commonwealth of Kentucky, such tax to be equal to not more than two percent (2%) of the gross amount of each such purchase of water service or sewer service. All of such utility tax receipts shall, upon receipt, be and constitute authority revenues, and may be used, treated and applied by the authority in common with other authority revenues, to carry out the purposes for which the authority is created, including payment of principal and interest on authority revenue bonds; provided, however, that in connection with the issuance of authority revenue bonds, the authority may pledge such utility tax receipts for bond amortization purposes only to the extent same may be actually levied, collected, and received by the authority, and to the extent same are not otherwise committed or budgeted by the authority during any fiscal period of the authority, and no covenant shall be made by the authority for the continuation of such utility tax in futuro, without the requisite vote required by the provisions of the Constitution of the Commonwealth of Kentucky.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 373, sec. 3, effective July 15, 1994. -- Created 1972 Ky. Acts ch. 329, sec. 6.