

**61.170 Malfeasance or neglect of county officers -- Penalty.**

- (1) County judges/executive, justices of the peace, sheriffs, coroners, surveyors, jailers, county attorneys, and constables may be indicted in the county in which they reside for misfeasance or malfeasance in office, or willful neglect in the discharge of official duties, and if convicted they shall be fined not less than one hundred (\$100) nor more than one thousand dollars (\$1,000), and the judgment of conviction shall declare the office held by such person vacant.
- (2) Any sheriff, deputy sheriff, policeman, or other peace officer who fails to enforce any provision of KRS Chapter 242 after receiving information of a violation thereof, or having knowledge of a violation thereof and failing to act thereon, may be indicted for nonfeasance or malfeasance in office, and if convicted shall be fined not less than fifty (\$50) nor more than two hundred dollars (\$200), and the judgment of conviction shall declare the office held by such person vacant.
- (3) In the absence of good cause shown, a member of the fiscal court who fails to attend fifty percent (50%) of the regular terms of the fiscal court within a six (6) month period or who fails to attend two (2) consecutive terms of the fiscal court shall be charged with neglect of office and upon conviction shall forfeit his office.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 121, sec. 32, effective July 15, 1998. -- Amended 1988 Ky. Acts ch. 328, sec. 2, effective July 15, 1988. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2554c-31, 3748.