

64.070 Officers conveying prisoners.

- (1) (a) Except as provided in KRS 441.540, an officer conveying a prisoner to the penitentiary shall be paid out of the State Treasury the rate per mile paid state employees for official travel in privately-owned vehicles, as established by administrative regulation of the Finance and Administration Cabinet, pursuant to KRS Chapter 13A, to be calculated by the nearest traveled route, and shall be paid all actual necessary expenses for feeding, lodging and transporting the prisoner;
- (b) Upon the production of the receipt of the warden of the penitentiary for the delivery of a prisoner, and a complete verified account of all expenses incurred, giving the names of the guards employed and distance traveled, the Finance and Administration Cabinet shall audit the account of the officer for conveying the prisoner and, if found correct, draw a warrant for its payment.
- (2) (a) For conveying a prisoner charged with a felony from one (1) county to another, an officer shall receive the same mileage and expenses allowed for conveying a prisoner to the penitentiary, to be paid out of the State Treasury except as provided in KRS 441.530;
- (b) Upon the production of the receipt of the jailer of the county to which the prisoner is transferred, and a complete verified account of all expenses incurred, giving the names of the guards employed and the distance traveled, the Finance and Administration Cabinet shall audit the account of the officer for conveying the prisoner and if found correct shall draw a warrant for its payment.
- (3) (a) For arresting a person charged with a misdemeanor upon a warrant issued from another county, and conveying the person to the county jail of the county from which the warrant issued, an officer shall be paid out of the county treasury of the county from which the warrant was issued the same mileage and expenses allowed for conveying a prisoner to the penitentiary;
- (b) The officer shall present to the county judge/executive of the county from which the warrant issued a verified and itemized statement of his mileage and expenses and the county judge/executive shall direct the county treasurer to pay the same out of the county treasury.
- (4) For conveying a prisoner charged with a felony to the jail of the county in which he was arrested, an officer shall be paid out of the State Treasury the rate per mile paid state employees for official travel in privately-owned vehicles, as established by administrative regulation of the Finance and Administration Cabinet, adopted pursuant to KRS Chapter 13A, for each mile traveled in going and returning.
- (5) The number of guards employed in conveying prisoners to the penitentiary or from one (1) county to another shall not exceed one (1) for every two (2) prisoners. Where only one (1) prisoner is conveyed no guard shall be employed, except that the Circuit Judge may appoint one (1) guard for each prisoner to the nearest railroad station.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 508, sec. 16, effective July 15, 1994. -- Amended 1986 Ky. Acts ch. 374, sec. 16, effective July 15, 1986. -- Amended 1978 Ky. Acts ch. 162, sec. 1, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 12, sec. 12, effective January 1, 1978; and ch. 14, sec. 28, effective January 2, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. II, sec. 9(1). -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 164, 354, 361, 363, 1728, 2046.