

350.503 Kentucky reclamation guaranty fund.

- (1) There is hereby established a revolving fund to be known as the "Kentucky reclamation guaranty fund," which shall be administratively assigned to the cabinet and which shall be administered in accordance with the terms of KRS 350.500 to 350.521.
- (2) The fund shall consist of all moneys collected pursuant to KRS 350.515 and 350.518.
- (3) Moneys collected pursuant to subsection (2) of this section shall not be utilized for the reclamation of permits forfeited prior to January 1, 2014, except for obligations as may arise from the forfeiture of bonds prior to that date secured by the voluntary bond pool.
- (4) Moneys in the fund shall be held in an interest-bearing account and shall be used as follows and for no other purposes:
 - (a) To reclaim, in the event of forfeiture, permit areas or increments thereof, covered by the fund;
 - (b) To compensate the cabinet for costs of administering the fund;
 - (c) To fund audits and actuarial studies required under KRS 350.509; and
 - (d) To cover all operating expenses and any necessary legal expenses of the Reclamation Guaranty Fund Commission.
- (5) Moneys in the fund shall not be utilized for long-term treatment of substandard water discharges and subsidence.
- (6) Notwithstanding KRS 45.229, any moneys remaining in the fund at the close of a fiscal year shall not lapse, but shall be carried forward into the succeeding fiscal year for use as provided in this section.
- (7) The fund shall be exempt from the requirements applicable to insurers under KRS Chapter 304.

Effective: March 22, 2013

History: Created 2013 Ky. Acts ch. 78, sec. 2, effective March 22, 2013.