

### **6.761 Conflict of interest provisions -- Penalty.**

- (1) A legislator shall not intentionally participate in the discussion of a question in committee or on the floor of the General Assembly, vote, or make a decision in his official capacity on any matter:
  - (a) In which he, or any member of his family, or the legislator's business associate will derive a direct monetary gain or suffer a direct monetary loss as a result of his vote or decision; or
  - (b) Which relates specifically to a business in which he owns or controls an interest of ten thousand dollars (\$10,000) or more, or an interest of more than five percent (5%).

Violation of this provision is a Class D felony. The provisions of this subsection notwithstanding, a legislator may vote on legislation affecting his salary, expenses, benefits, and allowances, as provided by law. The provisions of this subsection notwithstanding, a legislator may participate in the discussion of the question in committee and on the floor of the General Assembly, vote, or make a decision on a matter if any benefit or detriment which accrues to the member of the General Assembly, as a member of a business, profession, occupation, or other group, or to a member of his family or a business interest specified in subsection (1)(b) of this section is of no greater extent than the benefit or detriment which accrues generally to other members of the business, profession, occupation, or other group;

- (2) A legislator who has a personal or private interest in a bill proposed or pending before the General Assembly shall be subject to the limitations of Section 57 of the Constitution of Kentucky, which provides that the legislator shall disclose his interest to the house of which he is a member and refrain from voting upon pain of expulsion. A member shall disclose his interest by filing a disclosure statement with the clerk or by a verbal announcement to the body.
- (3) The right of legislators to represent their constituencies, however, is of such major importance that legislators should be barred from voting on matters of direct personal interest only in clear cases and if the matter is particularly personal.

**Effective:** September 16, 1993

**History:** Created 1993 (1st Extra. Sess.) Ky. Acts ch. 4, sec. 15, effective September 16, 1993.