

**61.405 Use of excess fees by county sheriff or county clerk for health insurance or health maintenance organization coverage.**

- (1) For the purpose of this section, "excess fees" means fees and commissions in an amount greater than the total salaries and expenses that are required by law to be paid by an office.
- (2) Notwithstanding the provisions of KRS 64.530(3), a sheriff or county clerk whose office earns excess fees during any fiscal year, and whose employees are not being provided with health insurance or health maintenance organization coverage by county government or by an agency of county government on the day that fiscal year closes, may purchase health insurance or health maintenance organization coverage, effective within one (1) month after the close of the fiscal year, that will cover all employees of the office, including the sheriff or county clerk if he desires, for at least twelve (12) months.
- (3) The type and extent of the health insurance or health maintenance organization coverage shall be determined by the sheriff or county clerk. The coverage shall be reasonable in relation to the amount of money available from the excess fees.
- (4) If a sheriff's or county clerk's office earns excess fees during any fiscal year, but the excess fees are not sufficient, in the judgment of the sheriff or county clerk, to provide employees with a reasonable degree of health insurance or health maintenance organization coverage, the sheriff or county clerk may use a combination of employee contributions and excess fees to purchase the insurance or coverage.
- (5) A sheriff or county clerk may purchase health insurance or health maintenance organization coverage under this section in cooperation with any governmental unit or combination of units allowed to cooperatively purchase coverage under KRS 79.080.

**Effective:** July 14, 1992

**History:** Created 1992 Ky. Acts ch. 265, sec. 1, effective July 14, 1992.