

**61.470 Contribution fund and contingent liability fund.**

- (1) There is hereby established a special fund to be known as the contribution fund. Such fund shall consist of and there shall be deposited therein:
  - (a) All contributions, interest, and penalties under KRS 61.450 and 61.460;
  - (b) All moneys appropriated or otherwise contributed thereto;
  - (c) Any property or securities and earnings thereof acquired through the use of moneys belonging to the fund;
  - (d) Interest earned upon any moneys in the fund, and
  - (e) All sums recovered from the bond of the custodian or otherwise for losses sustained by the fund, and all other moneys received for the fund from any other source. All moneys in the fund shall be mingled and undivided. Subject to the provisions of KRS 61.410 to 61.500, the state agency is vested with full power, authority and jurisdiction over the fund, including all moneys and property or securities belonging thereto, and may perform any and all acts whether or not specifically designated, which are necessary to the administration thereof and are consistent with the provisions of KRS 61.410 to 61.500.
- (2) The contribution fund shall be a trust and agency fund which shall not lapse and shall be held separate and apart from any other funds or moneys of the state and shall be used and administered exclusively for the purposes of KRS 61.410 to 61.500. Withdrawals from such fund shall be made for, and solely for:
  - (a) Payment of amounts required to be paid to the Secretary of the Treasury pursuant to an agreement entered into under KRS 61.430;
  - (b) Payment of refunds provided for in subsection (3) of KRS 61.450;
  - (c) Refunds of overpayments, not otherwise adjustable, made by a political subdivision; and
  - (d) For payment of administrative costs for the administration of KRS 61.410 to 61.500 to the extent of the interest earned on investments of the contribution fund.
- (3) From the contribution fund the custodian of the fund shall pay to the Secretary of the Treasury such amounts at such time or times as may be directed by the state agency in accordance with any agreement entered into under KRS 61.430.
- (4) At the end of each fiscal year, the state agency shall make an estimate of the necessary operating costs of the state agency for the next fiscal year, including a contingent liability fund. After approval of this amount needed for necessary costs and contingent liability fund by the secretary of finance and administration, the realized investment earnings of the contribution fund available at the end of any fiscal year shall be reduced to this approved amount, and any excess is hereby authorized for transfer to the credit of the general fund.
- (5) The Treasurer of the state shall be ex officio treasurer and custodian of the contribution fund and shall administer such fund in accordance with the provisions of KRS 61.410 to 61.500 and the directions of the state agency, and

shall pay all warrants drawn upon the fund in accordance with the provisions of this section and with such regulations as the state agency may prescribe pursuant thereto.

**Effective:** July 15, 1982

**History:** Amended 1982 Ky. Acts ch. 393, sec. 39, effective July 15, 1982. -- Amended 1966 Ky. Acts ch. 133, sec. 1. -- Created 1951 (1st Extra. Sess.) Ky. Acts ch. 3, sec. 7.