

**64.345 Clerks and sheriffs and jailers in counties having population of 70,000 or more -- Compensation -- Expenses -- Deputies and assistants -- Applicability of KRS 64.368 if population decreases below 70,000 -- Expenses not to exceed annual approved budgetary amounts.**

- (1) The county clerk and sheriff of each county having a population of seventy thousand (70,000) or over shall receive an annual salary pursuant to the salary schedule in KRS 64.5275.
- (2) In counties containing a city of the first class, an urban-county form of government, or a consolidated local government, the amount, if any, allowed for the necessary office expenses of each officer shall be approved by the fiscal court in counties containing a city of the first class, by the legislative body in counties containing an urban-county form of government, or by the legislative council in a consolidated local government. This approval shall be signed by the county judge/executive in a county containing a city of the first class, the executive authority in a county having an urban-county form of government, or the mayor in a consolidated local government. Approval by the fiscal court, urban-county legislative body, or legislative council of a consolidated local government under this subsection shall not include oversight of expenditure of the funds. This oversight shall be retained by the Office of the Controller created pursuant to KRS 42.0201. In counties having a consolidated local government or containing a city of the first class, each sheriff's deputy who uses his own automobile in the performance of official duties shall be authorized an allotment for expenses incurred, up to a maximum of three hundred dollars (\$300) per month, to be paid out of the fees and commissions of the sheriff's office. In all other counties with a population of seventy thousand (70,000) or more, the amount, if any, allowed for the necessary office expenses of each officer shall be fixed by the fiscal court by an order entered upon the fiscal court order book no later than January 15 of each year. Necessary office expenses for sheriffs and county clerks in counties containing a city of the first class, an urban-county form of government, or a consolidated local government, and counties with a population of seventy thousand (70,000) or more shall include discretionary funds to cover additional expenses related to special training and travel related to homeland security emergencies, academy graduations, retirements, state and national sheriff's conventions, and extraordinary office expenses in amounts authorized by the approving authority. A certified copy of the orders, and of any subsequent changes made therein, shall, as soon as entered, be forwarded to the Finance and Administration Cabinet.
- (3) Each officer shall, on the first day of each month, send to the Finance and Administration Cabinet a statement, subscribed and sworn to by him, showing the amount of money received or collected by or for him the preceding month as fees or compensation for official duties and shall, with these statements, send to the Finance and Administration Cabinet the amount so collected or received. The Finance and Administration Cabinet may extend the time for filing the statement and making the payment for a period not exceeding ten (10) days in any month.
- (4) The salary of each officer and his deputies and assistants and his office expenses

shall be paid semimonthly by the State Treasurer upon the warrant of the Finance and Administration Cabinet made payable to the officer. If seventy-five percent (75%) of the amount paid into the State Treasury in any month by any of such officers is not sufficient to pay the salaries and expenses of his office for that month, the deficit may be made up out of the amount paid in any succeeding month; but in no event shall the amount allowed by the Finance and Administration Cabinet to any officer for salaries and expenses exceed seventy-five percent (75%) of the amount paid to the Finance and Administration Cabinet by the officer during his official term.

- (5) In counties containing a city of the first class, an urban-county form of government, or a consolidated local government, the number of deputies and assistants allowed to each officer and the compensation allowed to each deputy and assistant shall be approved at reasonable amounts upon motion of each officer by the fiscal court in counties containing a city of the first class, by the legislative council in a consolidated local government, and by the legislative body in counties containing an urban-county form of government. This approval shall be signed by the county judge/executive in a county containing a city of the first class, the executive authority in a county having an urban-county form of government, or the mayor in a consolidated local government. Approval by the fiscal court, urban-county legislative body, or legislative council of a consolidated local government under this subsection shall not include oversight of expenditure of the funds. This oversight shall be retained by the Office of the Controller. In all other counties with a population of seventy thousand (70,000) or more, the number of deputies and assistants allowed to each officer and the compensation allowed to each deputy and assistant shall be fixed at reasonable amounts upon motion of each officer by the fiscal court by an order entered upon the fiscal court order book no later than January 15 of each year. A certified copy of the orders, and of any subsequent changes made therein, shall, as soon as entered, be forwarded to the Finance and Administration Cabinet.
- (6) If a county's population that equaled or exceeded seventy thousand (70,000) is less than seventy thousand (70,000) after the most recent federal decennial census, then the provisions of KRS 64.368 shall apply.
- (7) The Office of the Controller shall recognize the amount allowed for necessary office expenses of each officer under subsection (2) of this section as the official budget for the office. The Office of the Controller shall use professional judgment in creating the appropriate fund and account structure to ensure that the offices do not exceed annual approved budgetary amounts or expend more than the resources available for the term of office.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 140, sec. 1, effective July 13, 2004. -- Amended 2003 Ky. Acts ch. 192, sec. 1, effective June 24, 2003. -- Amended 2002 Ky. Acts ch. 71, sec. 2, effective July 15, 2002; and ch. 346, sec. 19, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 610, sec. 2, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 319, sec. 1, effective April 9, 1996. -- Amended 1994 Ky. Acts ch. 508, sec. 18, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 220, sec. 4,

effective January 1, 1994. -- Amended 1986 Ky. Acts ch. 374, sec. 18, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 111, sec. 1, effective July 15, 1982; and ch. 385, sec. 16, effective July 1, 1982. -- Amended 1978 Ky. Acts ch. 360, sec. 1, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 33. -- Amended 1974 Ky. Acts ch. 44, sec. 1; ch. 254, sec. 2; and ch. 304, sec. 1. -- Amended 1972 Ky. Acts ch. 203, sec. 4. -- Amended 1966 Ky. Acts ch. 255, sec. 69. -- Amended 1964 Ky. Acts ch. 109, sec. 2. -- Created 1950 Ky. Acts ch. 196, sec. 1.