

65.005 Notice to county clerk of establishment of political subdivision -- Application of provisions only before July 1, 2014 -- Transition to reporting requirements of KRS 65A.010 to 65A.090 -- Duties of clerk -- Fee -- Notice by existing districts.

- (1) The provisions of this section shall apply prior to July 1, 2014. On and after July 1, 2014, the provisions of this section shall no longer apply; instead the provisions of KRS 65A.010 to 65A.090 shall apply. Special districts shall cooperate with the Department for Local Government and the Auditor of Public Accounts to ensure an orderly transition from the reporting requirements of this section to the reporting requirements of KRS 65A.010 to 65A.090. Notwithstanding the dates established by this subsection, the provisions of this section and KRS 65A.010 to 65A.090 shall be administered such that the registration required by KRS 65A.090(1) occurs as required by that subsection, and there is no gap in reporting by entities subject to this section and KRS 65A.010 to 65A.090 as the transition occurs.
- (2)
 - (a) "Special district" means any agency, authority, or political subdivision of the state which exercises less than statewide jurisdiction and which is organized for the purpose of performing governmental or other prescribed functions within limited boundaries. It includes all political subdivisions of the state except a city, a county, or a school district.
 - (b) "Governing body" means the body possessing legislative authority in a city, county, or special district.
- (3) No special district shall be legally created without sending notification of its existence in writing to the clerk of the county within the jurisdiction of which its principal office shall be located. This requirement for notification is in addition to all other provisions of existing law providing for the creation of special districts. The notification shall contain the names and addresses of the members of the governing body of the district, the name and address of its chief executive officer, a specific reference to the statute or statutes under which it was created, and a brief description of its service area and activities. The clerk shall record the original and forward a copy of the notification to the state local finance officer and the state local debt officer, Department for Local Government. The clerk shall be paid a fee of two dollars (\$2) by the district for recording and mailing the notification.
- (4) The governing body of any existing special district shall submit notification as required in subsection (3) of this section within thirty (30) days after June 16, 1966, and the governing body of a newly created special district shall submit the required notification at or before its first meeting.

Effective: March 21, 2013

History: Amended 2013 Ky. Acts ch. 40, sec. 11, effective March 21, 2013. -- Amended 2010 Ky. Acts ch. 117, sec. 47, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 47, sec. 41, effective June 26, 2007. -- Amended 1998 Ky. Acts ch. 69, sec. 30, effective July 15, 1998; and ch. 85, sec. 3, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 508, sec. 20, effective July 15, 1994. -- Amended 1978 Ky. Acts ch. 384, sec. 134, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. II, sec. 9(1). -- Created 1966 Ky. Acts ch. 128, sec. 1.

Legislative Research Commission Note (7/15/98). This section was amended by 1998

Ky. Acts chs. 69 and 85. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 85, which was last enacted by the General Assembly, prevails under KRS 446.250.