

**42.320 Court cost distribution fund -- Disbursements -- Payments into general fund.**

- (1) There is hereby established the court cost distribution fund, which is created to provide a central account into which the court costs collected by all circuit clerks, under KRS 23A.205(1) and 24A.175(1), shall be paid.
- (2) The fund shall be administered by the Finance and Administration Cabinet, which shall make monthly disbursements from the fund according to the following schedule:
  - (a) Forty-nine percent (49%) of each court cost shall be paid into the general fund;
  - (b) Ten and eight-tenths percent (10.8%) of each court cost, up to five million four hundred thousand dollars (\$5,400,000), shall be paid into the State Treasury for the benefit and use of the Kentucky Local Correctional Facilities Construction Authority under KRS 441.605 to 441.695;
  - (c) Six and one-half percent (6.5%) of each court cost, up to three million two hundred fifty thousand dollars (\$3,250,000), shall be paid into the spinal cord and head injury research trust fund created in KRS 211.504;
  - (d) Five and one-half percent (5.5%) of each court cost, up to two million seven hundred fifty thousand dollars (\$2,750,000), shall be paid into the traumatic brain injury trust fund created in KRS 211.476;
  - (e) Five percent (5%) of each court cost, up to two million five hundred thousand dollars (\$2,500,000), shall be paid into a trust and agency account with the Administrative Office of the Courts and is to be used by the circuit clerks to hire additional deputy clerks and to enhance deputy clerk salaries;
  - (f) Three and one-half percent (3.5%) of each court cost, up to one million seven hundred fifty thousand dollars (\$1,750,000), shall be paid to a special trust and agency account that shall not lapse for the Department of Public Advocacy;
  - (g) Three and four-tenths percent (3.4%) of each court cost, up to one million seven hundred thousand dollars (\$1,700,000), shall be paid into the crime victims' compensation fund created in KRS 49.480;
  - (h) Seven-tenths of one percent (0.7%) of each court cost, up to three hundred fifty thousand dollars (\$350,000), shall be paid to the Justice and Public Safety Cabinet to defray the costs of conducting record checks on prospective firearms purchasers pursuant to the Brady Handgun Violence Prevention Act and for the collection, testing, and storing of DNA samples;
  - (i) Ten and one-tenth percent (10.1%) of each court cost, up to five million fifty thousand dollars (\$5,050,000), deposited in the fund shall be paid to the county sheriff in the county from which the court cost was received; and
  - (j) Five and one-half percent (5.5%) of each court cost, up to two million seven hundred fifty thousand dollars (\$2,750,000), deposited in the fund shall be paid to the county treasurer in the county from which the court cost was received and shall be used by the fiscal court in that county for the purposes of

defraying the costs of operation of the county jail and the transportation of prisoners.

- (3) Any moneys remaining in the fund after the monthly disbursements in subsection (2) of this section shall be paid into the general fund.
- (4) Any moneys collected above the prescribed amount shall be paid into the general fund.

**Effective:** June 29, 2017

**History:** Amended 2017 Ky. Acts ch. 74, sec. 60, effective June 29, 2017; and ch. 167, sec. 11, effective June 29, 2017. -- Amended 2007 Ky. Acts ch. 85, sec. 123, effective June 26, 2007. -- Created 2002 Ky. Acts ch. 183, sec. 9, effective August 1, 2002.

**2018-2020 Budget Reference.** See State/Executive Branch Budget, 2018 Ky. Acts ch. 169, Pt. I, H, 4, (3) at 1327.

**Legislative Research Commission Note (6/29/2017).** This statute was amended by 2017 Ky. Acts chs. 74 and 167, which do not appear to be in conflict and have been codified together.

**Legislative Research Commission Note (6/26/2007).** 2007 Ky. Acts ch. 85, relating to the creation and organization of the Justice and Public Safety Cabinet, instructs the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in that Act. Such a correction has been made in this section.

**Legislative Research Commission Note (7/15/2002).** This statute number, KRS 42.320, was previously used for a KRS section that was repealed. That earlier section (1974 Ky. Acts ch. 74, Art. VIII, Part I, sec. 1; 1982 Ky. Acts ch. 396, sec. 5) was repealed by 1982 Ky. Acts ch. 450, sec. 79, effective July 1, 1983. The catchline at repeal read, "State clearinghouse functions for federal funds."