

**64.640 Compensation of state officers and employees generally.**

- (1) Except as otherwise provided in subsection (2) of this section, and excepting officers elected by popular vote, employees of the General Assembly, including employees of the Legislative Research Commission, members of boards and commissions, those officers and employees of Kentucky Educational Television exempt from classified service as provided in KRS 18A.115, presidents and employees of the state universities and the state colleges, officers employed by the Department of Kentucky State Police under KRS Chapter 16, and persons employed by the commissioner of parks on a temporary basis under KRS 148.026, the Personnel Cabinet shall prepare schedules of compensation, payable out of the State Treasury, with a minimum salary rate, and other salary rates as are deemed necessary or advisable, for the office or position of employment of every state officer and employee, including specifically the offices and positions of employment in every constitutional administrative department, statutory administrative department, independent agency, board, commission, or other unit of state government. The language of any statute empowering a board, commission, authority, or other administrative body for which the Personnel Cabinet provides personnel and payroll services, except for any board governing any of the Kentucky Retirement Systems, the Kentucky Higher Education Assistance Authority, the Kentucky Authority for Educational Television, or the Council on Postsecondary Education, to establish, set, or approve the salaries of its administrative head and other employees to the contrary notwithstanding, the establishment or setting of salaries for administrative heads or other employees shall be subject to the approval of the secretary of the Personnel Cabinet. The schedules and rates shall be based upon studies of the duties and responsibilities of the offices and positions and upon a comparison with rates being paid for similar or comparable services elsewhere, and in the preparation of such schedules, the Personnel Cabinet shall ascertain and record the duties, responsibilities, and authority pertaining to the various offices and positions in the state service, and classify such positions in the manner provided in KRS 18A.030, 18A.035, 18A.110, 18A.130, 18A.135, and 18A.150 to 18A.160. No such schedule shall become effective until it has been approved by the Governor by executive order.
- (2) The Governor shall set the compensation payable out of the State Treasury to each officer or position in the state service, which officer or position heads a statutory administrative department, independent agency, or other unit of state government, except for those excluded under subsection (1) of this section. Such compensation shall be based upon studies of the duties and responsibilities and classification of the positions by the Governor and upon a comparison with compensation being paid for similar or comparable services elsewhere, provided, however, such compensation shall not exceed the total taxable compensation of the Governor derived from state sources, the provisions of KRS 64.660 to the contrary notwithstanding. For the purposes of this section, the total taxable compensation of the Governor from state sources shall include the amount provided for compensation to the Governor under KRS 64.480 and any benefits or discretionary spending accounts that are imputed as taxable income for federal tax purposes.

- (3) The compensation payable out of the State Treasury to officers and employees subordinate to any office or position covered by subsection (2) of this section shall not exceed the maximum rate established pursuant to subsection (2) of this section for such office or position, except with respect to physicians as provided in KRS 64.655 and employees of the Public Service Commission of Kentucky whose compensation shall be fixed, within constitutional limits, by the Personnel Cabinet with the approval of the Governor as provided in subsection (1) of this section.
- (4) Nothing in this section shall preclude the allowance of maintenance to officers and employees of the state.

**Effective:** July 15, 2016

**History:** Amended 2016 Ky. Acts ch. 109, sec. 11, effective July 15, 2016; and ch. 110, sec. 12, effective July 15, 2016. -- Amended 2000 Ky. Acts ch. 495, sec. 2, effective July 14, 2000; and ch. 501, sec. 5, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 154, sec. 71, effective July 15, 1998. -- Amended 1982 Ky. Acts ch. 448, sec. 63, effective July 15, 1982. -- Amended 1980 Ky. Acts ch. 98, sec. 1, effective July 15, 1980; and ch. 331, sec. 1, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 379, sec. 56, effective April 1, 1979. -- Amended 1976 Ky. Acts ch. 83, sec. 13, effective March 29, 1976. -- Amended 1972 Ky. Acts ch. 22, sec. 1. -- Amended 1970 Ky. Acts ch. 160, sec. 1. -- Amended 1966 Ky. Acts ch. 38, sec. 2; and ch. 255, sec. 76. -- Amended 1962 Ky. Acts ch. 106, Art. I, sec. 11; ch. 184, sec. 1; and ch. 210, sec. 13. -- Amended 1960 Ky. Acts ch. 38, sec. 1. -- Amended 1956 (1st Extra. Sess.) Ky. Acts ch. 7, Art. III, sec. 1. -- Amended 1954 Ky. Acts ch. 174, sec. 1. -- Amended 1952 Ky. Acts ch. 98, sec. 1. -- Created 1950 Ky. Acts ch. 123, sec. 22.

**2018-2020 Budget Reference.** See 2018 Ky. Acts ch. 203, Sec. 1 at 1744.

**Legislative Research Commission Note (7/15/2016).** This statute was amended in 2016 Ky. Acts ch. 109, sec. 11 and ch. 110, sec. 12. 2016 Ky. Acts ch. 110, sec. 15 provided that ch. 110 takes precedence over ch. 109. Chapter 110 was also the later-passed bill. Therefore, 2016 Ky. Acts ch. 110, sec. 12 has been codified and 2016 Ky. Acts ch. 109, sec. 11 has not.