

**95.870 Election among active members -- Method -- Certification of vote.**

- (1) Subject to the foregoing provisions, there shall be held on the first Wednesday after the first Tuesday of September of each year an election among the active members for trustee of the fund. Under KRS 95.869, if there are two (2) additional active board members of the fund serving from each department, their terms shall be for at least one (1) year with a maximum of two (2) years under rules adopted by the board.
- (2) On or before August 10 preceding, nominations for candidates in the election shall be filed with the chief of the police department and the chief of the fire department. The nominations shall be in writing and shall be signed by not less than twenty-five percent (25%) of the members. Within five (5) days after the close of nominations, the chiefs of the respective departments shall certify in writing to all districts and bureaus of the departments the names of those placed in nomination.
- (3) On the first Wednesday after the first Tuesday in September beginning at the hour of 12 noon on Wednesday and continuing thereafter for a forty-eight (48) hour period, an election shall be held under the supervision of the commanding officers of the districts and bureaus. Each member shall vote at the district or bureau of which he is a member, except those members who are not assigned to a specific district or bureau, who shall vote at the office of the chief of police or chief of the fire department, as the case may be. At the close of voting, the commanding officer of each district or bureau shall, in the presence of the nominees or their duly authorized agents, open the ballot box and count the votes. He shall then make a certificate of the count and send the certificate with the ballots in a sealed envelope to the mayor, who shall, on the following Wednesday, open all the certificates so received and, after counting all the returns, certify the results to the board. On the third Wednesday after the first Tuesday in September, the candidate or candidates receiving the most votes shall assume office.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 260, sec. 2, effective July 15, 1998. -- Amended 1974 Ky. Acts ch. 396, sec. 8. -- Created 1956 Ky. Acts ch. 16, sec. 20, effective July 1, 1956.