

**78.625 Information furnished by employer -- Filing of contributions, reimbursements, and reports -- Penalties for delinquency -- Audit of employer. (Effective April 1, 2021)**

- (1) The employer shall prepare the reporting records necessary for the system to administer the provisions of KRS 78.510 to 78.852 and, from time to time, shall furnish the information the system may require in the discharge of its duties. Upon employment of an employee, the employer shall inform him or her of his or her duties and obligations in connection with the system as a condition of employment.
- (2) The agency reporting official of the county shall file the following at the retirement office on or before the tenth day of the month following the period being reported:
  - (a) The employee and employer contributions required under KRS 61.702, 78.610, and 78.635;
  - (b) The employer contributions and reimbursements for retiree health insurance premiums required under KRS 61.637; and
  - (c) A record of all contributions to the system on the forms prescribed by the systems.
- (3)
  - (a) If the agency reporting official fails to file at the retirement office all contributions and reports on or before the tenth day of the month following the period being reported, interest on the delinquent contributions at the actuarial rate adopted by the board compounded annually, but not less than one thousand dollars (\$1,000), may be added to the amount due the system.
  - (b) Delinquent contributions, with interest at the rate adopted by the board compounded annually, or penalties may be recovered by action in the Franklin Circuit Court against the county liable or may, at the request of the board, be deducted from any other moneys payable to the county by any department or agency of the state.
- (4) If an agency is delinquent in the payment of contributions due in accordance with any of the provisions of KRS 78.510 to 78.852, refunds and retirement allowance payments to members of this agency may be suspended until the delinquent contributions, with interest at the rate adopted by the board compounded annually, or penalties have been paid to the system.
- (5) The system may at any time conduct an audit of the employer in order to determine if the employer is complying with the provisions of KRS 78.510 to 78.852. The system shall have access to and may examine all books, accounts, reports, correspondence files, and records of any employer. Every employer, employee, or agency reporting official of a county, as defined in KRS 78.510(3), having records in its possession or under its control, shall permit access to and examination of the records upon the request of the system.

**Effective:** April 1, 2021

**History:** Amended 2020 Ky. Acts ch. 79, sec. 38, effective April 1, 2021. -- Amended 2019 Ky. Acts ch. 182, sec. 2, effective June 27, 2019. -- Amended 2010 Ky. Acts ch. 173, sec. 9, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 77, sec. 25, effective June 25, 2009. -- Amended 2004 Ky. Acts ch. 36, sec. 34, effective July 13, 2004. -- Amended 2002 Ky. Acts ch. 52, sec. 22, effective July 15, 2002. -- Amended

1998 Ky. Acts ch. 105, sec. 25, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 167, sec. 26, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 240, sec. 59, effective July 14, 1992. -- Amended 1988 Ky. Acts ch. 349, sec. 38, effective July 15, 1988. -- Amended 1982 Ky. Acts ch. 423, sec. 19, effective July 15, 1982. -- Amended 1976 Ky. Acts ch. 321, secs. 36 and 40. -- Amended 1972 Ky. Acts ch. 116, sec. 69. -- Amended 1968 Ky. Acts ch. 24, sec. 1. -- Created 1964 Ky. Acts ch. 49, sec. 7.

**Legislative Research Commission Note** (March 1, 2011). The Reviser of Statutes has corrected a manifest clerical or typographical error in the numbering of subsections in this section as they appeared in 2010 Ky. Acts ch. 173, sec. 9.