

**65.243 Status and authorities of interlocal agency created by interlocal agreement -
- Interlocal agreement controls if more restrictive than KRS 65.210 to 65.300 --
Status and authorities are cumulative -- No statutory power to tax granted to
interlocal agency -- Interlocal agency deemed a public agency.**

- (1) An interlocal agency created by the interlocal agreement shall constitute an agency and instrumentality of the public agencies party to the interlocal agreement for the purpose of performing the essential governmental functions and the public purposes authorized by the interlocal agreement.
- (2) Unless restricted, limited, or otherwise conditioned under the terms of the interlocal agreement, an interlocal agency is authorized to exercise any powers not in conflict with local, state, or federal law or in conflict with the interlocal agreement that are necessary and convenient to accomplish the purposes for which the interlocal agency was created.
- (3) To the extent that any of the provisions of the interlocal agreement are more restrictive, or limit the powers, privileges, or authority of the interlocal agency that are otherwise allowed by KRS 65.210 to 65.300, the provisions of the interlocal agreement shall control.
- (4) The status and authorities of an interlocal agency granted in this section, unless limited by the interlocal agreement, is cumulative and in addition to the powers and authority of an interlocal agency that may otherwise exist and that are granted or implied under any other laws of the Commonwealth to a specific type of public body that may also function as an interlocal agency under KRS 65.210 to 65.300.
- (5) Nothing in this section shall be construed to grant an interlocal agency the ability to levy a tax.
- (6) An interlocal agency created by an interlocal agreement shall be deemed to be a public agency as defined in KRS 61.805 and 61.870, and as such shall be subject to KRS 61.800 to 61.850 and 61.870 to 61.884.

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