

1 AN ACT proposing to amend Sections 99, 124, and 144 of the Constitution of
2 Kentucky relating to a Judge of the County Court.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. It is proposed that Section 99 of the Constitution of Kentucky be
5 amended to read as follows:

6 **(1) Except as provided in subsection (2) of this section,** at the regular election in
7 nineteen hundred and ninety-eight and every four years thereafter, there shall be elected in
8 each county a Judge of the County Court, a County Court Clerk, a County Attorney,
9 Sheriff, Jailer, Coroner, Surveyor and Assessor, and in each Justice's District one Justice
10 of the Peace and one Constable, who shall enter upon the discharge of the duties of their
11 offices on the first Monday in January after their election, and who shall hold their offices
12 four years until the election and qualification of their successors.

13 **(2) Beginning at the regular election in two thousand twenty-two, a county that**
14 **has completely merged the county government with a city government shall not elect a**
15 **Judge of the County Court if the city was the only incorporated city in the county at the**
16 **time of the merger.**

17 ➔Section 2. It is proposed that Section 124 of the Constitution of Kentucky be
18 amended to read as follows:

19 Any remaining sections of the Constitution of Kentucky as it existed prior to
20 the effective date of this amendment which are in conflict with the provisions of amended
21 Sections 110 through 125 are repealed to the extent of the conflict, but such amended
22 sections are not intended to repeal those parts of Sections 140 and 142 conferring
23 nonjudicial powers and duties upon county judges and justices of the peace. Nothing in
24 such amended sections shall be construed to limit the powers otherwise granted by this
25 Constitution to the county judge as the chief executive, administrative and fiscal officer
26 of the county, **unless a county has completely merged the county government with the**
27 **government of a city which was the only incorporated city in the county at the time of**

1 **merger and a county judge is no longer elected pursuant to Sections 99 and 144**, or to
2 limit the powers otherwise granted by the Constitution to the justices of the peace or
3 county commissioners as executive, administrative and fiscal officers of a county, or of
4 the fiscal court as a governing body of a county.

5 ➔Section 3. It is proposed that Section 144 of the Constitution of Kentucky be
6 amended to read as follows:

7 **(1) Except as provided in subsection (2) of this section,** counties shall have a
8 Fiscal Court, which may consist of the Judge of the County Court and the Justices of the
9 Peace, in which Court the Judge of the County Court shall preside, if present; or a county
10 may have three Commissioners, to be elected from the county at large, who, together with
11 the Judge of the County Court, shall constitute the Fiscal Court. A majority of the
12 members of said Court shall constitute a Court for the transaction of business. But where,
13 for county governmental purposes, a city is by law separated from the remainder of the
14 county, such Commissioners may be elected from the part of the county outside of such
15 city.

16 **(2) Beginning at the regular election in two thousand twenty-two, a county that**
17 **has completely merged the county government with a city government shall not elect a**
18 **Judge of the County Court if the city was the only incorporated city in the county at the**
19 **time of the merger.**

20 ➔Section 4. This Act may be cited as the Fayette County Judge/Executive John
21 Roberts Act.

22 ➔Section 5. This amendment shall be submitted to the voters of the
23 Commonwealth for their ratification or rejection at the time and in the manner provided
24 for under Sections 256 and 257 of the Constitution and under KRS 118.415.