

1 AN ACT relating to the sale or disposition of certain county property.

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

3 ➔Section 1. KRS 67.0802 is amended to read as follows:

- 4 (1) A county may sell or otherwise dispose of any of its real or personal property.
- 5 (2) Before selling or otherwise disposing of any real or personal property, the county
- 6 shall make a written determination setting forth and fully describing:
- 7 (a) The real or personal property;
- 8 (b) Its intended use at the time of acquisition;
- 9 (c) The reasons why it is in the public interest to dispose of it; and
- 10 (d) The method of disposition to be used.
- 11 (3) Real or personal property may be:
- 12 (a) Transferred, with or without compensation, to another governmental agency;
- 13 (b) Sold at public auction following publication of the auction in accordance with
- 14 KRS 424.130(1)(b);
- 15 (c) Sold by electronic auction following publication of the auction, including the
- 16 uniform resource link (URL) for the site of the electronic auction, in
- 17 accordance with KRS 424.130(1)(b); or
- 18 (d) Sold by sealed bids in accordance with the procedure for sealed bids under
- 19 KRS 45A.365(3) and (4).
- 20 (4) If a county receives no bids for the real or personal property, either at public or
- 21 electronic auction or by sealed bid, the property may be disposed of, consistent with
- 22 the public interest, in any manner deemed appropriate by the county. In those
- 23 instances, a written description of the property, the method of disposal, and the
- 24 amount of compensation, if any, shall be made.
- 25 (5) **(a) Except as provided in paragraph (b) of this subsection,** any compensation
- 26 resulting from the disposal of this real or personal property shall be transferred
- 27 to the general fund of the county.

1 (b) Any compensation resulting from the disposal of real or personal property
2 that was acquired by forfeiture under KRS Chapter 218A or purchased
3 using funds restricted under KRS 218A.420(4)(a) shall be transferred to the
4 account used for such forfeiture proceeds and upon transfer shall remain
5 subject to the restrictions of KRS 218A.420(4)(a).