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LEGISLATIVE RESEARCH COMMISSION

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MEMORANDUM

TO: Taylor Brown, General Counsel, State Board of Elections

FROM: Emily Caudill, Regulations Compiler

RE: Acknowledgement of Proposed & Emergency Regulations – 031 KAR 005:040 & E

DATE: April 15, 2024

A copy of the ordinary and emergency administrative regulations listed above are enclosed for your files. Pursuant to KRS 13A.190, these emergency administrative regulations became effective upon filing with our office on **April 15, 2024** and, unless an extension on an accompanying ordinary is requested, will expire either in 270 days on **January 10, 2025**, or when replaced by its corresponding ordinary regulation, whichever occurs first. Please note - Expiration dates may be impacted by legislation or other statutes.

Emergency regulations

The emergency regulations are tentatively scheduled for review by the Administrative Regulation Review Subcommittee at its **June 2024** meeting. We will notify you of the date and time of this meeting once it has been scheduled. Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration for these emergency regulations is due **by noon on June 14, 2024**.

Ordinary regulations

The ordinary regulations are tentatively scheduled for review by the Administrative Regulation Review Subcommittee at its **July 2024** meeting. We will notify you of the date and time of this meeting once it has been scheduled. Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration for these ordinary regulations or a one-month extension request is due **by noon on July 15, 2024**.

Please reference KRS 13A.270 and 13A.280 for other requirements relating to the public hearing and public comment period and Statements of Consideration.

If you have questions, please contact us at RegsCompiler@LRC.ky.gov or (502) 564-8100.

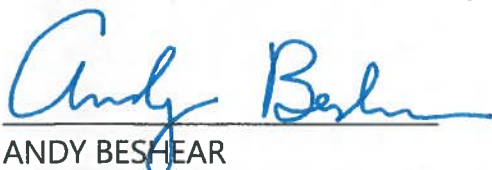
Enclosures

FILED WITH LRC
TIME: 10:56 AM
APR 15 2024
Emily B Caudill
REGULATIONS COMPILER

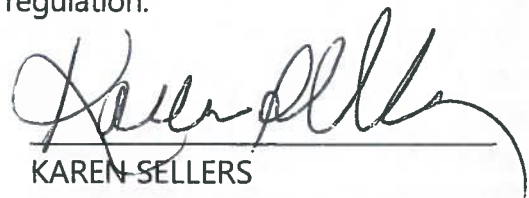
STATEMENT OF EMERGENCY

31 KAR 5:040E

This emergency regulation is being promulgated pursuant to both KRS 13A.190(1)(a)(1), to meet an imminent threat to public welfare, as well as, KRS 13A.190(1)(a)(3), to meet an imminent deadline for the promulgation of an administrative regulation established by state statute. Section 150 of the Kentucky Constitution requires free and fair elections in the Commonwealth; KRS 118.025(4) sets May 21, 2024, as the date for the next primary election. In recent years, the General Assembly has amended the various Kentucky Revised Statutes related to voting in the Commonwealth. As election administrators adapt to these new changes, the need for administrative changes becomes apparent, so that Kentuckians may continue to cast their ballots with the highest degrees of ease and security. This is being filed as an emergency administrative regulation to ensure the administrative regulations and procedures required by statute to promote free and fair elections are in effect for the upcoming election. This emergency administrative regulation is temporary in nature and will be replaced by an ordinary administrative regulation. The companion ordinary administrative regulation is identical to this emergency administrative regulation.



ANDY BESHEAR
Governor



KAREN SELLERS
Director, State Board of Elections

1 STATE BOARD OF ELECTIONS

2 (New Emergency Administrative Regulation)

3 31 KAR 5:040E. Questions Regarding Voter Eligibility.

4 RELATES TO: KRS 117.001, 117.015, 117.025, 117.035, 117.225, 117.245, 117.227,
5 117.228, 117.245, 61.826

6 STATUTORY AUTHORITY: KRS 117.015, 61.826

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 117.015(1)(a) authorizes the State
8 Board of Elections to promulgate administrative regulations necessary to properly
9 administer the election laws of the state. KRS 117.035(4)(c) requires that county boards
10 of election meet and stay in session on primary, regular election, and special election days
11 to correct clerical errors, to rules on questions regarding voter registration, proof of
12 identification, and the curing of signatures relative to mail-in absentee ballots. KRS
13 117.025(3)(d) requires the State Board of Elections to select the required format for any
14 voter registration list provided to a county clerk. KRS 117.228 details the procedures for
15 casting a ballot if a voter is unable to provide proof of identification or is otherwise known
16 to an election officer and requires the State Board of Elections to prescribe and furnish
17 forms that voters must complete in these circumstances. This administrative regulation

1 establishes procedures for when a voter's eligibility is questioned and the forms that are
2 to be completed when necessary.

3 Section 1. (1) A voter unable to provide proof of identification as required under
4 KRS 117.225, and as defined under KRS 117.001(15), shall:

5 (a) Meet the requirements of KRS 117.228(1)(c) by executing SBE Form 71, Voter
6 Affirmation Form; and

7 (b) Provide alternative proof of identification as required by KRS 117.228(2).

8 (2) A voter personally known to an election officer may cast a ballot in accordance
9 with KRS 117.228(4) upon the election officer executing SBE Form 72, Election Officer
10 Affirmation Form.

11 (3) Both the SBE 71 and SBE 72 shall be forwarded to the local Commonwealth's
12 Attorney following the election.

13 Section 2. (1) If an individual presents themselves to an election officer to vote and
14 is not found on the signature roster provided to the county under KRS 117.025(3)(b) or
15 (3)(c) and is not a participant in the Safe at Home Program authorized under KRS 14.302,
16 the individual may vote upon the following taking place:

17 (a) The individual shall provide to the election officer proof of identification as
18 required by KRS 117.225, or the individual shall follow the procedures of KRS 117.228 if
19 they are unable to provide proof of identification;

1 (b) The election officer shall contact the county clerk's office and verify that the
2 information provided by the individual establishes that they are registered to vote at the
3 location where the individual has presented themselves;

4 (c) The individual shall complete the Form SBE 32, Oath of Voter,;

5 (d) The individual shall complete the Form SBE 01, Commonwealth of Kentucky
6 Voter Registration Application;

7 (e) The individual shall sign the Form SBE 25, Supplemental Precinct Signature
8 Roster;

9 (f) The election officer shall inform the individual that the Form SBE 32, Oath of
10 Voter shall be forwarded to the local Commonwealth's Attorney following the election.

11 (2) If the election officer is unable to verify through the county clerk's office that
12 the individual is properly registered to vote in the location where the individual has
13 presented themselves, the election officer shall:

14 (a) Inform the individual of the location where they are properly registered vote, if
15 known;

16 (b) Inform the individual of their ability to request a hearing before the county
17 board of elections;

18 (c) Inform the individual of their ability to cast a provisional ballot for the federal
19 elective office of President, Vice President, United States Senator, and United States House
20 of Representative; and

1 1. If an individual chooses to cast a provisional ballot for an applicable federal
2 elective office, the election officer shall have the individual sign the Form SBE 35,
3 Provisional Ballot Precinct Signature Roster.

4 (3) All Form SBE 25, Supplemental Precinct Signature Rosters and Form SBE 35,
5 Provisional Ballot Precinct Signature Rosters, when used for the purposes described in this
6 section, shall be completed digitally through an e-poll book unless there is an emergency
7 condition that renders the e-poll book inoperable, in which case paper forms shall be
8 used. Should such an emergency condition exist, the election officer shall record the
9 circumstances of the emergency condition on the paper forms.

10 Section 3. During the days that voting may occur during any primary, regular
11 election, and special election, including voting by mail-in absentee ballot, a county board
12 of elections may elect to meet the requirements of KRS 117.035(4)(c) via a video
13 teleconference subject to the mandates of KRS 61.826.

14 (a) Should a county board of elections elect to meet via video teleconference
15 during a day in which voting may occur, the county clerk's office and each voting location
16 in use in the county shall have technology available to every voter so that the voter may
17 appear before the county board at no financial expense to the voter.

18 (b) If a county board of elections elects not to meet via video teleconference
19 during a day in which voting may occur, a voter desiring to appear before the county
20 board shall be provided with an option so that the voter may appear before the county

1 board via teleconference, provided that the voter can make themselves available via the
2 same teleconferencing technology the county board has chosen to utilize for such
3 hearings.

4 Section 4. Incorporated by Reference.

5 (1) The following material is incorporated by reference:

6 (a) Commonwealth of Kentucky Voter Registration Application, Form SBE 01,
7 04/2024;

8 (b) Supplemental Precinct Signature Roster, Form SBE 25, 04/2024;

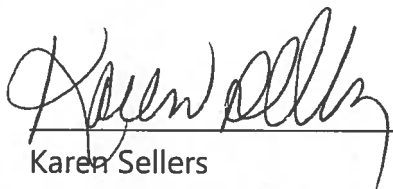
9 (c) Oath of Voter, Form SBE 32, 04/2024;

10 (d) Provisional Ballot Precinct Signature Roster, Form SBE 35, 04/2024;

11 (e) "Voter Affirmation Form", Form SBE 71, 04/2022;

12 (f) "Election Officer Affirmation Form", Form SBE 72, 04/2022.

13 (2) This material may be inspected, copied, or obtained, subject to applicable
14 copyright law, at the State Board of Elections, 140 Walnut Street, Frankfort, Kentucky
15 Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.



Karen Sellers

Executive Director, State Board of Elections

4/12/2024

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this new administrative regulation shall be held on May 31, 2024, at 10:00 a.m. ET, at the office of the State Board of Elections. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. This hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until May 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Taylor Brown, General Counsel, 140 Walnut Street, Frankfort, Kentucky 40601, Phone: (502) 782-9499, Email: TaylorA.Brown@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

31 KAR 5:040E Contact Person: Taylor Brown, phone: 502-782-9499, email: TaylorA.Brown@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes procedures for when a voter's eligibility is questioned and the forms that are to be completed when necessary.

(b) The necessity of this administrative regulation: This administrative regulation is necessary so that statewide uniform procedures exist when a voter's eligibility is questioned. KRS 117.035(4)(c) requires that county boards of election meet and stay in session on primary, regular election, and special election days to correct clerical errors, to rules on questions regarding voter registration, proof of identification, and the curing of signatures relative to mail-in absentee ballots. KRS 117.025(3)(d) requires the State Board of Elections to select the required format for any voter registration list provided to a county clerk. KRS 117.228 requires the State Board of Elections to prescribe and furnish forms that voters must complete if a voter is unable to provide proof of identification or is otherwise known to an election officer.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 117.015(1)(a) authorizes the State Board of Elections to promulgate administrative regulations necessary to properly carry out its duties.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation allows for clear standards and procedures regarding situations where a voter's eligibility is questioned.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

(b) The necessity of the amendment to this administrative regulation:

(c) How the amendment conforms to the content of the authorizing statutes:

(d) How the amendment will assist in the effective administration of the statutes:

This is a new administrative regulation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This administrative regulation will affect voters in the Commonwealth who have their eligibility questioned, as well as the county election officials who must determine their eligibility.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment. To comply with this

administrative regulation, voters and county election officials will need to complete a form or attend a hearing.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The State Board of Elections estimates that the implementation of this administrative regulation will cost voters and county election officials no more funds than are already being expended.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Compliance with this new administrative regulation will benefit voters and county election officials by adding digital convenience to the voting experience through the already used e-poll book and the teleconferencing already authorized under KRS 61.826.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: The State Board of Elections anticipates this administrative regulation will cost no more funds than are already being expended.

(b) On a continuing basis: The State Board of Elections anticipates this administrative regulation will cost no more funds than are already being expended.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Funds from the State Board of Elections' administrative budget will be used in the implementation and enforcement of this administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: Implementation of this administrative regulation can be achieved without an increase in fees or funding by the General Assembly.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No fees are associated with this administrative regulation.

(9) TIERING: Is tiering applied? Explain why or why not. Tiering is not used in this administrative regulation, as a desired result of the promulgation of this administrative regulation is uniform procedures for the administration of elections throughout all of the counties in the Commonwealth.

FISCAL IMPACT STATEMENT

31 KAR 5:040E

Contact Person: Taylor Brown, phone: 502-782-9499, email: TaylorA.Brown@ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 117.015(1)(a), 117.035(4)(c), KRS 117.025(3)(d), 117.228, 61.826 require and authorize the actions taken by this administrative regulation.

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:
This administrative regulation will affect the promulgating agency, the State Board of Elections.

(a) Estimate the following for the first year:

Expenditures: The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

Revenues: It is not expected or intended that this administrative regulation will generate any revenue.

Cost Savings: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings.

(b) How will expenditures, revenues, or cost savings differ in subsequent years? The State Board of Elections does not anticipate expenditures, revenues, or cost savings to differ in subsequent years.

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts): This administrative regulation will affect county election officials.

(a) Estimate the following for the first year:

Expenditures: The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

Revenues: It is not expected or intended that this administrative regulation will generate any revenue.

Cost Savings: The State Board of Elections expects that this administrative regulation may save county election officials transportation costs should a voter desire a hearing under KRS 117.035(4)(c).

(b) How will expenditures, revenues, or cost savings differ in subsequent years? The State Board of Elections does not anticipate expenditures, revenues, or cost savings to differ in subsequent years.

(4) Identify additional regulated entities not listed in questions (2) or (3): This administrative regulation will affect voters of the Commonwealth.

(a) Estimate the following for the first year:

Expenditures: The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

Revenues: It is not expected or intended that this administrative regulation will generate any revenue.

Cost Savings: The State Board of Elections expects that this administrative regulation may save voters transportation costs should they desire a hearing under KRS 117.035(4)(c).

(b) How will expenditures, revenues, or cost savings differ in subsequent years? The State Board of Elections does not anticipate expenditures, revenues, or cost savings to differ in subsequent years.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year? The State Board of Elections expects that this administrative regulation will result in cost savings that are county and election specific and therefore numerically uncalculatable.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years? The State Board of Elections expects that this administrative regulation will result in cost savings that are county and election specific and therefore numerically uncalculatable.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation: The State board of Elections expects that this administrative regulation will have a minimal fiscal impact on the regulated entities.

(b) Methodology and resources used to determine the fiscal impact: This determination of this administrative regulation's fiscal impact is made by the listed contact person and other agency staff based on their collective experience with the subject matter.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate): The State Board of Elections does not expect that this administrative regulation will result in a negative or adverse major economic impact to the entities identified in questions (2)-(4).

(b) The methodology and resources used to reach this conclusion: This conclusion is made by the listed contact person and other agency staff based on their collective experience with the subject matter.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

"Commonwealth of Kentucky Voter Registration Application," Form SBE 01, 04/2024, is the 1-page form that voters may use to register or reregister to vote or update voter registration information.

"Oath of Voter," SBE Form 32, 04/2022, is the ½-page form signed by a voter and precinct election officer if a question arises as to the legality of a voter voting in-person.

"Supplemental Precinct Signature Roster," Form SBE 25, 09/2020, is the 1-page form that election officials may use to capture the signature of voters qualified to vote, but not found on the existing precinct roster.

"Provisional Ballot Precinct Signature Roster," Form SBE 35, 09/2020, ", is the 1-page form that election officials may use to capture the signature of voters desiring to vote a provisional ballot.

"Voter Affirmation Form," Form SBE 71, 04/2022, is the 1-page form that a voter without proof of identification, as defined by KRS 117.001, will need to complete in order to vote in accordance with KRS 117.228(1)(c).

"Election Officer Affirmation Form" Form 72, 04/2022, is the 1-page form that a voter personally known to an election officer will need to complete in order to vote in accordance with KRS 117.228(4).

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

OATH OF VOTER

When a voter has moved to a new precinct within the same county and is not listed on the current precinct roster, when the officers of an election disagree as to the qualifications of a voter, or when a voter's right to vote is disputed by a challenger, the voter shall sign the following oath as to his qualifications before he is permitted to vote.

I, _____, hereby state, under oath,
(Name: Please Print)

that I am duly registered as a _____ voter in this precinct in
(Political Party Preference)

_____ County, Kentucky and that I currently reside at
(County)

_____. My previous address was
(Current Residence Street Address, City, and Zip Code)

_____ in this county.
(Previous Residence Street Address, City, and Zip Code)

I know of no legal disqualifications which should prevent my vote from being cast and counted in this election and I affirm that I have not voted and will not vote in another precinct or by absentee ballot in this state during this election.

I understand that any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to the penalties therefore. I further understand that if I execute the Oath and am not a registered voter at the current address stated above, I have committed a criminal act.

Voter must sign here

Date of Birth

Date

Precinct Name or No. _____

Signature of Precinct Election Officer or Challenger _____

This Oath shall be returned to the County Clerk who shall deliver it to the
Commonwealth's Attorney for investigation.

- ___ Voter moved to new precinct/new address. Not on precinct roster. Update registration.
- ___ Election Officer/Challenger dispute voter's qualifications.
- ___ Request to vote in-person after mail-in ballot request.



KENTUCKY STATE BOARD OF ELECTIONS

Voter Affirmation Form

I, _____, do hereby affirm that the name I have given here is the name that I am generally known by or the name I have given here is as stated on my voter registration.

I further affirm that:

To the best of my knowledge and belief, my date of birth is _____.

My current residential address, including the street address number is:

_____, if my address changed in the twenty-eight (28) days prior to the date of this election, I affirm that I moved on _____ and that my prior address was:

____ I am a citizen of the United States;

____ I am qualified to vote in this precinct under current Kentucky laws related to voter eligibility;

____ I have not voted and will not vote in any other precinct during this election;

The following impediment has prevented me from procuring proof of identification as defined under KRS 117.001:

____ Lack of transportation;

____ Inability to obtain my birth certificate or other documents needed to show proof of identification;

____ Work schedule;

____ Lost or stolen identification;

____ Disability or illness;

____ Family responsibilities;

____ Proof of identification has been applied for, but not yet received;

____ I have a religious objection to being photographed.

I understand that making a false statement as to any of the affirmations on this form is punishable under penalties of perjury.

Signature

Date



KENTUCKY STATE BOARD OF ELECTIONS

Election Officer Affirmation Form

In accordance with K.R.S. 117.228(4), I _____, do hereby affirm the identity of _____, an individual wishing to vote in this election, as this individual is known to me by name and I know this individual to be a resident of this community.

Signed Name of Election Officer

Date

SBE 72 (04/2022)



KENTUCKY STATE BOARD OF ELECTIONS

Election Officer Affirmation Form

In accordance with K.R.S. 117.228(4), I _____, do hereby affirm the identity of _____, an individual wishing to vote in this election, as this individual is known to me by name and I know this individual to be a resident of this community.

Signed Name of Election Officer

Date

SBE 72 (04/2022)

Commonwealth of Kentucky Voter Registration Application

For Clerk Use Only			
Precinct Code	Precinct Name	Town	Other Code

Print your name

Use blue or black ink only

1 Last: _____ First: _____
 Middle: _____ Jr Sr II. III. IV (circle if applicable)

Eligibility

If you answer "No" to either question, you cannot register to vote.

2 Are you a citizen of the United States? YES NO
 Will you be 18 years of age or older on or before Election Day? YES NO

Reason

3 New Registration Address Change Party Change Name Change

About You

Phone and email are optional and may be used to contact you about important information.

4 Gender: Female Male
 Birthdate (MM/DD/YYYY): _____ Social Security Number: _____
 Phone Number: _____ Email Address: _____

Your address

If you are homeless and lack an established and fixed residence of regular return, you may list a location with a fixed address as your place of habitation

5 Address where you live (no P.O. Box): _____ Apt.: _____
 City/Town: _____ County: _____ State: KY Zip: _____
 Address where you get mail (if different than above): _____ Apt.: _____
 City/Town _____ County _____ State: _____ Zip: _____

Political party

You may change your political affiliation at any time on or before December 31st to remain eligible to vote in the following primary election.

6 Democratic Party Republican Party Independent Other _____
To vote in a primary, you must register with either the Democratic or Republican party. If you select "Independent" or "Other" as your affiliation, you are eligible to vote for only nonpartisan offices in any primary election. You may vote for any candidate in all general or special elections. Only persons timely registered shall have the right to vote.

WARNING: Per KRS 119.025, any person who causes himself to be registered when he is not legally entitled to register, shall be subject to penalties including fines and/or a term of imprisonment not less than one (1) year nor more than (5) years.

Voter Declaration – read and sign
 I swear or affirm that:

- I am a U.S. Citizen.
- I am a current resident of Kentucky.
- I will be at least 18 years of age on or before the next general election.
- I am not a convicted felon, or if I have been convicted of a felony, my right to vote has been restored following an expungement, Executive Pardon, or Executive Order.
- I have not been judged "mentally incompetent" in a court of law.
- I do not claim the right to vote anywhere outside Kentucky.

Voter sign here:

 X

Date (MM/DD/YYYY): _____

Signature

I would like to be contacted by my County Clerk about becoming a poll worker in Kentucky

I authorize the Kentucky State Board of Elections to send the information contained on this form to the appropriate voter registration officer who shall have my authorization to CANCEL my voter registration from my former state of residence:

Optional

8 Address where you were previously registered: _____ Apt.: _____
 City/Town: _____ County: _____ State: _____ Zip: _____

Section 150 Disqualification from office for using money or property to secure or influence election -- Corporation not to use money or other thing of value to influence election -- Exclusion from office for conviction of felony or high misdemeanor -- Laws to regulate elections.

Every person shall be disqualified from holding any office of trust or profit for the term for which he shall have been elected who shall be convicted of having given, or consented to the giving, offer or promise of any money or other thing of value, to procure his election, or to influence the vote of any voter at such election; and if any corporation shall, directly or indirectly, offer, promise or give, or shall authorize, directly or indirectly, any person to offer, promise or give any money or any thing of value to influence the result of any election in this State, or the vote of any voter authorized to vote therein, or who shall afterward reimburse or compensate, in any manner whatever, any person who shall have offered, promised or given any money or other thing of value to influence the result of any election or the vote of any such voter, such corporation, if organized under the laws of this Commonwealth, shall, on conviction thereof, forfeit its charter and all rights, privileges and immunities thereunder; and if chartered by another State and doing business in this State, whether by license, or upon mere sufferance, such corporation, upon conviction of either of the offenses aforesaid, shall forfeit all right to carry on any business in this State; and it shall be the duty of the General Assembly to provide for the enforcement of the provisions of this section. All persons shall be excluded from office who have been, or shall hereafter be, convicted of a felony, or of such high misdemeanor as may be prescribed by law, but such disability may be removed by pardon of the Governor. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon, from power, bribery, tumult or other improper practices.

Text as Ratified on: August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

118.025 Voting to be by secret paper ballot -- General laws applicable -- Time for holding elections.

- (1) Except as otherwise provided by law, voting in all primaries and elections shall be by secret paper ballot.
- (2) The general laws applying to primaries, regular elections, and special elections shall apply to primaries, regular elections, and special elections conducted with the use of voting equipment, and all provisions of the general laws applying to the custody of ballot boxes shall apply, as far as applicable, to the custody of the voting system or voting equipment.
- (3) A primary for the nomination of candidates to be voted for at the next regular election shall be held on the first Tuesday after the third Monday in May of each year.
- (4) The election of all officers of all governmental units shall be held on the first Tuesday after the first Monday in November.
- (5) If the law authorizes the calling of a special election on a day other than the day of the regular election in November, the election shall be held on a Tuesday.
- (6) If the law requires that a special election be held within a period of time during which the voting equipment must be locked as required by KRS 117.295, the special election shall be held on the fourth Tuesday following the expiration of the period during which the voting equipment is locked.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 197, sec. 48, effective June 29, 2021. -- Amended 2020 Ky. Acts ch. 88, sec. 5, effective July 15, 2020. -- Amended 2008 Ky. Acts ch. 129, sec. 6, effective July 15, 2008. -- Amended 2002 Ky. Acts ch. 262, sec. 1, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 261, sec. 2, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 195, sec. 13, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 394, sec. 20, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 288, sec. 38, effective July 14, 1992; and ch. 296, sec. 7, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 431, sec. 1, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 29, sec. 12, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 44, sec. 6, effective March 2, 1984. -- Amended 1982 Ky. Acts ch. 402, sec. 3, effective January 1, 1984. -- Created 1974 Ky. Acts ch. 130, sec. 98, effective June 21, 1974.

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REGULATIONS COMPILER

1 STATE BOARD OF ELECTIONS

2 (New Administrative Regulation)

3 31 KAR 5:040. Questions Regarding Voter Eligibility.

4 RELATES TO: KRS 117.001, 117.015, 117.025, 117.035, 117.225, 117.245, 117.227,
5 117.228, 117.245, 61.826

6 STATUTORY AUTHORITY: KRS 117.015, 61.826

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 117.015(1)(a) authorizes the State
8 Board of Elections to promulgate administrative regulations necessary to properly
9 administer the election laws of the state. KRS 117.035(4)(c) requires that county boards
10 of election meet and stay in session on primary, regular election, and special election days
11 to correct clerical errors, to rules on questions regarding voter registration, proof of
12 identification, and the curing of signatures relative to mail-in absentee ballots. KRS
13 117.025(3)(d) requires the State Board of Elections to select the required format for any
14 voter registration list provided to a county clerk. KRS 117.228 details the procedures for
15 casting a ballot if a voter is unable to provide proof of identification or is otherwise known
16 to an election officer and requires the State Board of Elections to prescribe and furnish
17 forms that voters must complete in these circumstances. This administrative regulation

1 establishes procedures for when a voter's eligibility is questioned and the forms that are
2 to be completed when necessary.

3 Section 1. (1) A voter unable to provide proof of identification as required under
4 KRS 117.225, and as defined under KRS 117.001(15), shall:

5 (a) Meet the requirements of KRS 117.228(1)(c) by executing SBE Form 71, Voter
6 Affirmation Form; and

7 (b) Provide alternative proof of identification as required by KRS 117.228(2).

8 (2) A voter personally known to an election officer may cast a ballot in accordance
9 with KRS 117.228(4) upon the election officer executing SBE Form 72, Election Officer
10 Affirmation Form.

11 (3) Both the SBE 71 and SBE 72 shall be forwarded to the local Commonwealth's
12 Attorney following the election.

13 Section 2. (1) If an individual presents themselves to an election officer to vote and
14 is not found on the signature roster provided to the county under KRS 117.025(3)(b) or
15 (3)(c) and is not a participant in the Safe at Home Program authorized under KRS 14.302,
16 the individual may vote upon the following taking place:

17 (a) The individual shall provide to the election officer proof of identification as
18 required by KRS 117.225, or the individual shall follow the procedures of KRS 117.228 if
19 they are unable to provide proof of identification;

1 (b) The election officer shall contact the county clerk's office and verify that the
2 information provided by the individual establishes that they are registered to vote at the
3 location where the individual has presented themselves;

4 (c) The individual shall complete the Form SBE 32, Oath of Voter,;

5 (d) The individual shall complete the Form SBE 01, Commonwealth of Kentucky
6 Voter Registration Application;

7 (e) The individual shall sign the Form SBE 25, Supplemental Precinct Signature
8 Roster;

9 (f) The election officer shall inform the individual that the Form SBE 32, Oath of
10 Voter shall be forwarded to the local Commonwealth's Attorney following the election.

11 (2) If the election officer is unable to verify through the county clerk's office that
12 the individual is properly registered to vote in the location where the individual has
13 presented themselves, the election officer shall:

14 (a) Inform the individual of the location where they are properly registered vote, if
15 known;

16 (b) Inform the individual of their ability to request a hearing before the county
17 board of elections;

18 (c) Inform the individual of their ability to cast a provisional ballot for the federal
19 elective office of President, Vice President, United States Senator, and United States House
20 of Representative; and

1 1. If an individual chooses to cast a provisional ballot for an applicable federal
2 elective office, the election officer shall have the individual sign the Form SBE 35,
3 Provisional Ballot Precinct Signature Roster.

4 (3) All Form SBE 25, Supplemental Precinct Signature Rosters and Form SBE 35,
5 Provisional Ballot Precinct Signature Rosters, when used for the purposes described in this
6 section, shall be completed digitally through an e-poll book unless there is an emergency
7 condition that renders the e-poll book inoperable, in which case paper forms shall be
8 used. Should such an emergency condition exist, the election officer shall record the
9 circumstances of the emergency condition on the paper forms.

10 Section 3. During the days that voting may occur during any primary, regular
11 election, and special election, including voting by mail-in absentee ballot, a county board
12 of elections may elect to meet the requirements of KRS 117.035(4)(c) via a video
13 teleconference subject to the mandates of KRS 61.826.

14 (a) Should a county board of elections elect to meet via video teleconference
15 during a day in which voting may occur, the county clerk's office and each voting location
16 in use in the county shall have technology available to every voter so that the voter may
17 appear before the county board at no financial expense to the voter.

18 (b) If a county board of elections elects not to meet via video teleconference
19 during a day in which voting may occur, a voter desiring to appear before the county
20 board shall be provided with an option so that the voter may appear before the county

1 board via teleconference, provided that the voter can make themselves available via the
2 same teleconferencing technology the county board has chosen to utilize for such
3 hearings.

4 Section 4. Incorporated by Reference.

5 (1) The following material is incorporated by reference:

6 (a) Commonwealth of Kentucky Voter Registration Application, Form SBE 01,
7 04/2024;

8 (b) Supplemental Precinct Signature Roster, Form SBE 25, 04/2024;

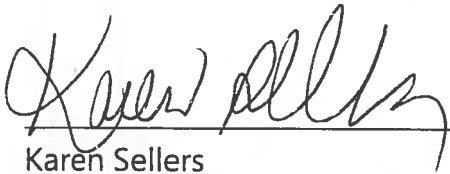
9 (c) Oath of Voter, Form SBE 32, 04/2024;

10 (d) Provisional Ballot Precinct Signature Roster, Form SBE 35, 04/2024;

11 (e) "Voter Affirmation Form", Form SBE 71, 04/2022;

12 (f) "Election Officer Affirmation Form", Form SBE 72, 04/2022.

13 (2) This material may be inspected, copied, or obtained, subject to applicable
14 copyright law, at the State Board of Elections, 140 Walnut Street, Frankfort, Kentucky
15 Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.



Karen Sellers

Executive Director, State Board of Elections

4/12/2024

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this new administrative regulation shall be held on June 28, 2024, at 10:00 a.m. ET, at the office of the State Board of Elections. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. This hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until June 30, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Taylor Brown, General Counsel, 140 Walnut Street, Frankfort, Kentucky 40601, Phone: (502) 782-9499, Email: TaylorA.Brown@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

31 KAR 5:040 Contact Person: Taylor Brown, phone: 502-782-9499, email: TaylorA.Brown@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes procedures for when a voter's eligibility is questioned and the forms that are to be completed when necessary.

(b) The necessity of this administrative regulation: This administrative regulation is necessary so that statewide uniform procedures exist when a voter's eligibility is questioned. KRS 117.035(4)(c) requires that county boards of election meet and stay in session on primary, regular election, and special election days to correct clerical errors, to rules on questions regarding voter registration, proof of identification, and the curing of signatures relative to mail-in absentee ballots. KRS 117.025(3)(d) requires the State Board of Elections to select the required format for any voter registration list provided to a county clerk. KRS 117.228 requires the State Board of Elections to prescribe and furnish forms that voters must complete if a voter is unable to provide proof of identification or is otherwise known to an election officer.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 117.015(1)(a) authorizes the State Board of Elections to promulgate administrative regulations necessary to properly carry out its duties.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation allows for clear standards and procedures regarding situations where a voter's eligibility is questioned.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

(b) The necessity of the amendment to this administrative regulation:

(c) How the amendment conforms to the content of the authorizing statutes:

(d) How the amendment will assist in the effective administration of the statutes:

This is a new administrative regulation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This administrative regulation will affect voters in the Commonwealth who have their eligibility questioned, as well as the county election officials who must determine their eligibility.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment. To comply with this

administrative regulation, voters and county election officials will need to complete a form or attend a hearing.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The State Board of Elections estimates that the implementation of this administrative regulation will cost voters and county election officials no more funds than are already being expended.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Compliance with this new administrative regulation will benefit voters and county election officials by adding digital convenience to the voting experience through the already used e-poll book and the teleconferencing already authorized under KRS 61.826.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: The State Board of Elections anticipates this administrative regulation will cost no more funds than are already being expended.

(b) On a continuing basis: The State Board of Elections anticipates this administrative regulation will cost no more funds than are already being expended.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Funds from the State Board of Elections' administrative budget will be used in the implementation and enforcement of this administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: Implementation of this administrative regulation can be achieved without an increase in fees or funding by the General Assembly.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No fees are associated with this administrative regulation.

(9) TIERING: Is tiering applied? Explain why or why not. Tiering is not used in this administrative regulation, as a desired result of the promulgation of this administrative regulation is uniform procedures for the administration of elections throughout all of the counties in the Commonwealth.

FISCAL IMPACT STATEMENT

31 KAR 5:040

Contact Person: Taylor Brown, phone: 502-782-9499, email: TaylorA.Brown@ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 117.015(1)(a), 117.035(4)(c), KRS 117.025(3)(d), 117.228, 61.826 require and authorize the actions taken by this administrative regulation.

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:
This administrative regulation will affect the promulgating agency, the State Board of Elections.

(a) Estimate the following for the first year:

Expenditures: The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

Revenues: It is not expected or intended that this administrative regulation will generate any revenue.

Cost Savings: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings.

(b) How will expenditures, revenues, or cost savings differ in subsequent years? The State Board of Elections does not anticipate expenditures, revenues, or cost savings to differ in subsequent years.

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts): This administrative regulation will affect county election officials.

(a) Estimate the following for the first year:

Expenditures: The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

Revenues: It is not expected or intended that this administrative regulation will generate any revenue.

Cost Savings: The State Board of Elections expects that this administrative regulation may save county election officials transportation costs should a voter desire a hearing under KRS 117.035(4)(c).

(b) How will expenditures, revenues, or cost savings differ in subsequent years? The State Board of Elections does not anticipate expenditures, revenues, or cost savings to differ in subsequent years.

(4) Identify additional regulated entities not listed in questions (2) or (3): This administrative regulation will affect voters of the Commonwealth.

(a) Estimate the following for the first year:

Expenditures: The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

Revenues: It is not expected or intended that this administrative regulation will generate any revenue.

Cost Savings: The State Board of Elections expects that this administrative regulation may save voters transportation costs should they desire a hearing under KRS 117.035(4)(c).

(b) How will expenditures, revenues, or cost savings differ in subsequent years? The State Board of Elections does not anticipate expenditures, revenues, or cost savings to differ in subsequent years.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year? The State Board of Elections expects that this administrative regulation will result in cost savings that are county and election specific and therefore numerically uncalculatable.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years? The State Board of Elections expects that this administrative regulation will result in cost savings that are county and election specific and therefore numerically uncalculatable.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation: The State board of Elections expects that this administrative regulation will have a minimal fiscal impact on the regulated entities.

(b) Methodology and resources used to determine the fiscal impact: This determination of this administrative regulation's fiscal impact is made by the listed contact person and other agency staff based on their collective experience with the subject matter.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate): The State Board of Elections does not expect that this administrative regulation will result in a negative or adverse major economic impact to the entities identified in questions (2)-(4).

(b) The methodology and resources used to reach this conclusion: This conclusion is made by the listed contact person and other agency staff based on their collective experience with the subject matter.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

"Commonwealth of Kentucky Voter Registration Application," Form SBE 01, 04/2024, is the 1-page form that voters may use to register or reregister to vote or update voter registration information.

"Oath of Voter," SBE Form 32, 04/2022, is the ½-page form signed by a voter and precinct election officer if a question arises as to the legality of a voter voting in-person.

"Supplemental Precinct Signature Roster," Form SBE 25, 09/2020, is the 1-page form that election officials may use to capture the signature of voters qualified to vote, but not found on the existing precinct roster.

"Provisional Ballot Precinct Signature Roster," Form SBE 35, 09/2020, ", is the 1-page form that election officials may use to capture the signature of voters desiring to vote a provisional ballot.

"Voter Affirmation Form," Form SBE 71, 04/2022, is the 1-page form that a voter without proof of identification, as defined by KRS 117.001, will need to complete in order to vote in accordance with KRS 117.228(1)(c).

"Election Officer Affirmation Form" Form 72, 04/2022, is the 1-page form that a voter personally known to an election officer will need to complete in order to vote in accordance with KRS 117.228(4).

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

OATH OF VOTER

When a voter has moved to a new precinct within the same county and is not listed on the current precinct roster, when the officers of an election disagree as to the qualifications of a voter, or when a voter's right to vote is disputed by a challenger, the voter shall sign the following oath as to his qualifications before he is permitted to vote.

I, _____, hereby state, under oath,
(Name: Please Print)

that I am duly registered as a _____ voter in this precinct in
(Political Party Preference)

_____ County, Kentucky and that I currently reside at
(County)

_____. My previous address was
(Current Residence Street Address, City, and Zip Code)

_____ in this county.
(Previous Residence Street Address, City, and Zip Code)

I know of no legal disqualifications which should prevent my vote from being cast and counted in this election and I affirm that I have not voted and will not vote in another precinct or by absentee ballot in this state during this election.

I understand that any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to the penalties therefore. I further understand that if I execute the Oath and am not a registered voter at the current address stated above, I have committed a criminal act.

Voter must sign here

Date of Birth

Date

Precinct Name or No. _____

Signature of Precinct Election Officer or Challenger _____

This Oath shall be returned to the County Clerk who shall deliver it to the
Commonwealth's Attorney for investigation.

- Voter moved to new precinct/new address. Not on precinct roster. Update registration.
 Election Officer/Challenger dispute voter's qualifications.
 Request to vote in-person after mail-in ballot request.

SUPPLEMENTAL PRECINCT SIGNATURE ROSTER

TO BE SIGNED BY VOTERS QUALIFIED TO VOTE BUT NOT ON PRECINCT ROSTER

ELECTION DATE _____ COUNTY NAME & CODE _____

PRECINCT NAME & CODE _____

VOTER'S NAME <small>(Please Print - Last, First & Middle)</small>	ADDRESS	SIGNATURE	DATE OF BIRTH	PARTY	PROOF OF IDENTIFICATION TYPE	Clerk Initials

PROOF OF IDENTIFICATION TYPES. (Voter must fall into one of the following categories):
 1) Voter has document containing name and photo, issued by: United States or Commonwealth of Kentucky (USA or KY); United States Department of Defense, branch of the uniformed services, Merchant Marines, or Kentucky National Guard (MIL); a public or private college, university, or postgraduate technical or professional school located in the United States (SCHOOL); any city government, county government, urban-county government, charter county government, consolidated local government, or unified local government; located in Kentucky (GOVT);
 2) Voter completes SBE 71 (SBE 71) AND presents: their Social Security Card (SS); SBE approved county ID Card (SBE); any ID card displaying their name and photo (ID); a food stamp identification card, electronic benefit transfer card, or supplemental nutrition assistance card issued by Kentucky displaying their name (AID); a credit/debit card displaying their name (CC);
 3) Voter is personally known to Election Officer (KNOWN) *Election Officer must complete SBE 72.

PROVISIONAL BALLOT PRECINCT SIGNATURE ROSTER

ELECTION DATE _____

COUNTY NAME & CODE _____

PRECINCT NAME & CODE _____

VOTER'S NAME <small>(Please Print - Last, First & Middle)</small>		ADDRESS	SIGNATURE	DATE OF BIRTH	PARTY	PROOF OF IDENTIFICATION TYPE	Clerk Initials

PROOF OF IDENTIFICATION TYPES (Voter must fall into one of the following categories):

- 1) Voter has document containing name and photo, issued by: United States or Commonwealth of Kentucky (USA or KY); United States Department of Defense, branch of the uniformed services, Merchant Marines, or Kentucky National Guard (MIL); a public or private college, university, or postgraduate technical or professional school located in the United States (SCHOOL); any city government, county government, urban-county government, charter county government, consolidated local government, or unified local government, located in Kentucky (GOVT);
- 2) Voter completes SBE 71 (SBE 71) AND presents: their Social Security Card (SS); SBE approved County ID Card (SBE); any ID card displaying their name and photo (ID); a food stamp identification card, electronic benefit transfer card, or supplemental nutrition assistance card issued by Kentucky displaying their name (AID); a credit/debit card displaying their name (CC);
- 3) Voter is personally known to Election Officer (KNOWN) *Election Officer must complete SBE 72.



KENTUCKY STATE BOARD OF ELECTIONS

Voter Affirmation Form

I, _____, do hereby affirm that the name I have given here is the name that I am generally known by or the name I have given here is as stated on my voter registration.

I further affirm that:

To the best of my knowledge and belief, my date of birth is _____.

My current residential address, including the street address number is:

_____, if my address changed in the twenty-eight (28) days prior to the date of this election, I affirm that I moved on _____ and that my prior address was:

____ I am a citizen of the United States;

____ I am qualified to vote in this precinct under current Kentucky laws related to voter eligibility;

____ I have not voted and will not vote in any other precinct during this election;

The following impediment has prevented me from procuring proof of identification as defined under KRS 117.001:

____ Lack of transportation;

____ Inability to obtain my birth certificate or other documents needed to show proof of identification;

____ Work schedule;

____ Lost or stolen identification;

____ Disability or illness;

____ Family responsibilities;

____ Proof of identification has been applied for, but not yet received;

____ I have a religious objection to being photographed.

I understand that making a false statement as to any of the affirmations on this form is punishable under penalties of perjury.

Signature

Date



KENTUCKY STATE BOARD OF ELECTIONS

Election Officer Affirmation Form

In accordance with K.R.S. 117.228(4), I _____, do hereby affirm the identity of _____, an individual wishing to vote in this election, as this individual is known to me by name and I know this individual to be a resident of this community.

Signed Name of Election Officer

Date

SBE 72 (04/2022)



KENTUCKY STATE BOARD OF ELECTIONS

Election Officer Affirmation Form

In accordance with K.R.S. 117.228(4), I _____, do hereby affirm the identity of _____, an individual wishing to vote in this election, as this individual is known to me by name and I know this individual to be a resident of this community.

Signed Name of Election Officer

Date

SBE 72 (04/2022)

Commonwealth of Kentucky Voter Registration Application

For Clerk Use Only			
Precinct Code	Precinct Name	Town	Other Code

Print your name

Use blue or black ink only

1 Last: _____ First: _____
 Middle: _____ Jr Sr II. III. IV (circle if applicable)

Eligibility

If you answer "No" to either question, you cannot register to vote.

2 Are you a citizen of the United States? YES NO
 Will you be 18 years of age or older on or before Election Day? YES NO

Reason

3 New Registration Address Change Party Change Name Change

About You

Phone and email are optional and may be used to contact you about important information.

Gender: Female Male
 4 Birthdate (MM/DD/YYYY): _____ Social Security Number: _____
 Phone Number: _____ Email Address: _____

Your address

If you are homeless and lack an established and fixed residence of regular return, you may list a location with a fixed address as your place of habitation

Address where you live (no P.O. Box): _____ Apt.: _____
 5 City/Town: _____ County: _____ State: KY Zip: _____
 Address where you get mail (if different than above): _____ Apt.: _____
 City/Town _____ County _____ State: _____ Zip: _____

Political party

You may change your political affiliation at any time on or before December 31st to remain eligible to vote in the following primary election.

6 Democratic Party Republican Party Independent Other _____

To vote in a primary, you must register with either the Democratic or Republican party. If you select "Independent" or "Other" as your affiliation, you are eligible to vote for only nonpartisan offices in any primary election. You may vote for any candidate in all general or special elections. Only persons timely registered shall have the right to vote.

WARNING: Per KRS 119.025, any person who causes himself to be registered when he is not legally entitled to register, shall be subject to penalties including fines and/or a term of imprisonment not less than one (1) year nor more than (5) years.

Voter Declaration – read and sign
 I swear or affirm that:

- I am a U.S. Citizen.
- I am a current resident of Kentucky.
- I will be at least 18 years of age on or before the next general election.
- I am not a convicted felon, or if I have been convicted of a felony, my right to vote has been restored following an expungement, Executive Pardon, or Executive Order.
- I have not been judged "mentally incompetent" in a court of law.
- I do not claim the right to vote anywhere outside Kentucky.

Voter sign here:

X _____

Date (MM/DD/YYYY): _____

Signature

7

Optional

8

- I would like to be contacted by my County Clerk about becoming a poll worker in Kentucky
- I authorize the Kentucky State Board of Elections to send the information contained on this form to the appropriate voter registration officer who shall have my authorization to CANCEL my voter registration from my former state of residence:

Address where you were previously registered: _____ Apt.: _____

City/Town: _____ County: _____ State: _____ Zip: _____