

STATEMENT OF EMERGENCY

31 KAR 3:050E

This emergency administrative regulation is being promulgated pursuant to KRS 13A.190(1)(a)(1), to meet an imminent threat to public safety and welfare. Section 150 of the Kentucky Constitution requires free and fair elections in the Commonwealth. KRS 118.025(4) sets November 3, 2026, as the date for the next general election. In recent years, the General Assembly has amended the various Kentucky Revised Statutes related to voting in the Commonwealth, including KRS 116.113. 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 that procedures are in effect for the upcoming election that will provide certainty regarding whether the correct voter has been identified for removal from Kentucky's voter rolls under the requirement of KRS 116.113(5) that a voter is removed from Kentucky's voter rolls within five (5) days after a jurisdiction outside of the Commonwealth informs the State Board of Elections that a voter on Kentucky's voter rolls has subsequently registered to vote in their jurisdiction. This regulation will further promote free and fair elections by making the Commonwealth's voter rolls as accurate as possible at the time of the general 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 3:050E. Cancellation of voter registration following notification of new registration
4 by Kentucky voter outside of the Commonwealth.

5 RELATES TO: KRS 116.113(5)

6 STATUTORY AUTHORITY: KRS 117.015(1)(a)

7 CERTIFICATION STATEMENT: This certifies that this administrative regulation complies
8 with the requirements of 2025 RS HB 6, Section 8.

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 117.015(1)(a) authorizes the State Board
10 of Elections to promulgate administrative regulations necessary to administer the election
11 laws of the state. KRS 116.113(5) requires that the Board, "[u]pon receipt of notification
12 from a local or state jurisdiction that a voter has registered to vote in the new local or
13 state jurisdiction outside of the Commonwealth, . . . shall within five (5) days cause the
14 removal of the name of that person from the voter registration records that it maintains,
15 except that no voter's name may be removed during the period of time the registration
16 books are closed for any primary, regular election, or special election." This regulation
17 provides for the determination of whether the notification from the local or state
18 jurisdiction outside of Kentucky has in fact identified a Kentucky voter who is now

1 registered to vote in a jurisdiction outside of Kentucky and provides for the process for
2 such removal following that determination.

3 Section 1. Procedure.

4 (1) Upon receipt of notification from a local or state jurisdiction that a person
5 identified by that jurisdiction as a registered Kentucky voter has subsequently
6 registered to vote in that local or state jurisdiction outside of Kentucky, the State
7 Board of Elections shall first search Kentucky's electronic voter registration system
8 to determine whether the individual identified by the local or state jurisdiction
9 outside of Kentucky shares the same first name and last name of a voter registered
10 to vote in Kentucky.

11 (2) If the first name and last name of a registered Kentucky voter exactly match the
12 first name and last name of the registered voter identified by the local or state
13 jurisdiction outside of Kentucky and the remaining name-related data fields,
14 including middle name or initial and suffixes, do not contain inconsistent
15 information, the registered Kentucky voter shall only be removed from Kentucky's
16 voter rolls under KRS 116.113(5) if one of the following is true:

17 (a) The notification from a local or state jurisdiction outside of Kentucky and a single
18 record in the Kentucky electronic voter registration system share an exact match
19 of an address, email address, or phone number and at least one of the following

1 identifiers: (i) the last four digits of the Social Security number; (ii) month, day, and
2 year of birth; or (iii) driver's license number; or

3 (b) Both the notification from a local or state jurisdiction and a single record in the
4 Kentucky electronic voter registration system share an exact match of at least two of
5 the following identifiers:

6 (i) the last four digits of the Social Security Number ("SSN");

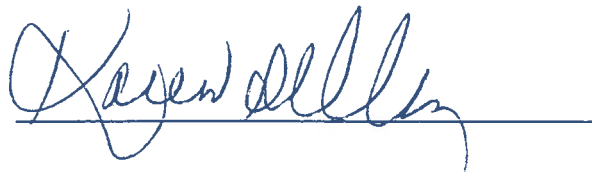
7 (ii) date of birth; or

8 (iii) driver's license number.

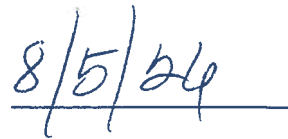
9 (3) If the notification from a local or state jurisdiction outside of Kentucky and the
10 record in Kentucky's electronic voter registration system do not meet the
11 requirements of subparagraphs (1) and (2) of this section, the State Board of
12 Elections shall consider the record match to be inconclusive and shall not remove
13 the Kentucky voter from the Commonwealth's voter rolls under KRS 116.113(5).

14 (4) Notwithstanding a match of the minimum criteria specified under subsection (2),
15 the Board shall not remove a registered Kentucky voter from the rolls if review of
16 any other data field indicates that the person identified by the local or state
17 jurisdiction outside of Kentucky is not the Kentucky voter whose information
18 matches under paragraph (2). Notwithstanding a match of the minimum criteria
19 under paragraph (2), no Kentucky voter shall be removed under KRS 116.113(5)
20 unless the notification from the jurisdiction outside Kentucky reflects a registration

1 date for the person identified as a Kentucky voter by the jurisdiction outside of
2 Kentucky, which is subsequent to the most recent voter activity or voter registration
3 activity associated with the registered Kentucky voter in Kentucky.

A handwritten signature in blue ink, appearing to read "Karen Sellers", written over a horizontal line.

Karen Sellers
Executive Director, State Board of Elections

A handwritten date "8/5/24" in blue ink, written over a horizontal line.

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this new administrative regulation shall be held on September 25, 2026, 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 September 30, 2026. 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 3:050E

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

Subject Headings: Elections and Voting; County Clerks; Local Governments

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation provides for the determination of whether a notification from a local or state jurisdiction outside of Kentucky has in fact identified a Kentucky voter who is now registered to vote in a jurisdiction outside of Kentucky and provides for the process for such removal following that determination.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to establish uniform procedures for the requirements of KRS 116113(5).

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 117.0145(1)(a) enables the State Board of Elections to promulgate this administrative regulation.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation will allow for uniform procedures for the requirements of KRS 116113(5).

(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) Does this administrative regulation or amendment implement legislation from the previous five years? No.

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

This administrative regulation will affect county clerks and the State Board of Elections.

(5) Provide an analysis of how the entities identified in question (4) 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 (4) will have to take to comply with this administrative regulation or amendment. To comply with this

administrative regulation, county clerks and the State Board of Elections will need to follow the procedures outlined.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): The entities identified should not incur any more costs than are already being expended.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): Compliance with this new administrative regulation will allow for uniform procedures for the requirements of KRS 116113(5).

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

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

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

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

(8) 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: No increase in fees or funding will be necessary to implement this administrative regulation.

(9) 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.

(10) 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 requirements of KRS 116113(5).

FISCAL IMPACT STATEMENT

31 KAR 3:050E

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 116.113(5) and 117.015(1)(a) require and authorize the actions taken by this administrative regulation.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: This administrative regulation is not expressly authorized by the enactment of KRS 116.113(5), but is authorized by the enactment of KRS 117.015(1)(a).

(3)(a) 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 and county clerks.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: The State Board of Elections expects that this administrative regulation will cost the agency no more to administer than is currently expended.

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

2. Revenues:

For the first year: It is not expected or intended that this administrative regulation will generate any revenue.

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

3. Cost Savings:

For the first year: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings.

For subsequent years: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): This administrative regulation will affect county clerks.

(b) Estimate the following for the first year:

1. Expenditures:

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

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

2. Revenues:

For the first year: It is not expected or intended that this administrative regulation will generate any revenue.

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

3. Cost Savings:

For the first year: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings for the regulated entities.

For subsequent years: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings for the regulated entities.

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): This administrative regulation will not affect any other entities.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:

For subsequent years:

2. Revenues:

For the first year:

For subsequent years

3. Cost Savings:

For the first year:

For subsequent years:

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: The State Board of Elections expects that this administrative regulation will have little to no fiscal impact on the regulated entities, outside those expenditures already undertaken.

(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.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14): The State Board of Elections does not expect that this administrative regulation will result in a "major economic impact" as the combined implementation and compliance costs of an administrative regulation are not expected to rise to at least five hundred thousand dollars (\$500,000) over any two (2) year period.

(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.

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.

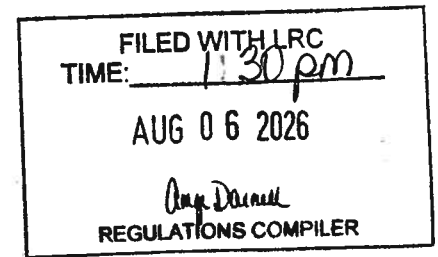
History: Not yet amended.

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.



1 STATE BOARD OF ELECTIONS

2 (New Administrative Regulation)

3 31 KAR 3:050. Cancellation of voter registration following notification of new registration
4 by Kentucky voter outside of the Commonwealth.

5 RELATES TO: KRS 116.113(5)

6 STATUTORY AUTHORITY: KRS 117.015(1)(a)

7 CERTIFICATION STATEMENT: This certifies that this administrative regulation complies
8 with the requirements of 2025 RS HB 6, Section 8.

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 117.015(1)(a) authorizes the State Board
10 of Elections to promulgate administrative regulations necessary to administer the election
11 laws of the state. KRS 116.113(5) requires that the Board, "[u]pon receipt of notification
12 from a local or state jurisdiction that a voter has registered to vote in the new local or
13 state jurisdiction outside of the Commonwealth, . . . shall within five (5) days cause the
14 removal of the name of that person from the voter registration records that it maintains,
15 except that no voter's name may be removed during the period of time the registration
16 books are closed for any primary, regular election, or special election." This regulation
17 provides for the determination of whether the notification from the local or state
18 jurisdiction outside of Kentucky has in fact identified a Kentucky voter who is now

1 registered to vote in a jurisdiction outside of Kentucky and provides for the process for
2 such removal following that determination.

3 Section 1. Procedure.

4 (1) Upon receipt of notification from a local or state jurisdiction that a person
5 identified by that jurisdiction as a registered Kentucky voter has subsequently
6 registered to vote in that local or state jurisdiction outside of Kentucky, the State
7 Board of Elections shall first search Kentucky's electronic voter registration system
8 to determine whether the individual identified by the local or state jurisdiction
9 outside of Kentucky shares the same first name and last name of a voter registered
10 to vote in Kentucky.

11 (2) If the first name and last name of a registered Kentucky voter exactly match the
12 first name and last name of the registered voter identified by the local or state
13 jurisdiction outside of Kentucky and the remaining name-related data fields,
14 including middle name or initial and suffixes, do not contain inconsistent
15 information, the registered Kentucky voter shall only be removed from Kentucky's
16 voter rolls under KRS 116.113(5) if one of the following is true:

17 (a) The notification from a local or state jurisdiction outside of Kentucky and a single
18 record in the Kentucky electronic voter registration system share an exact match
19 of an address, email address, or phone number and at least one of the following

1 identifiers: (i) the last four digits of the Social Security number; (ii) month, day, and
2 year of birth; or (iii) driver's license number; or

3 (b) Both the notification from a local or state jurisdiction and a single record in the
4 Kentucky electronic voter registration system share an exact match of at least two of
5 the following identifiers:

6 (i) the last four digits of the Social Security Number ("SSN");

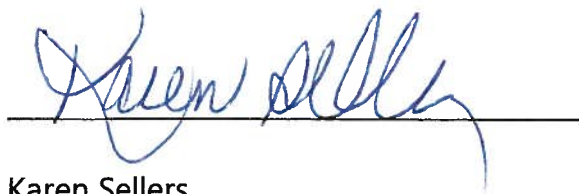
7 (ii) date of birth; or

8 (iii) driver's license number.

9 (3) If the notification from a local or state jurisdiction outside of Kentucky and the
10 record in Kentucky's electronic voter registration system do not meet the
11 requirements of subparagraphs (1) and (2) of this section, the State Board of
12 Elections shall consider the record match to be inconclusive and shall not remove
13 the Kentucky voter from the Commonwealth's voter rolls under KRS 116.113(5).

14 (4) Notwithstanding a match of the minimum criteria specified under subsection (2),
15 the Board shall not remove a registered Kentucky voter from the rolls if review of
16 any other data field indicates that the person identified by the local or state
17 jurisdiction outside of Kentucky is not the Kentucky voter whose information
18 matches under paragraph (2). Notwithstanding a match of the minimum criteria
19 under paragraph (2), no Kentucky voter shall be removed under KRS 116.113(5)
20 unless the notification from the jurisdiction outside Kentucky reflects a registration

1 date for the person identified as a Kentucky voter by the jurisdiction outside of
2 Kentucky, which is subsequent to the most recent voter activity or voter registration
3 activity associated with the registered Kentucky voter in Kentucky.

A handwritten signature in blue ink, appearing to read "Karen Sellers", is written over a horizontal line.

Karen Sellers
Executive Director, State Board of Elections

A handwritten date "8/5/24" in blue ink is written over a horizontal line.

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this new administrative regulation shall be held on October 30, 2026, 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 October 30, 2026. 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 3:050

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

Subject Headings: Elections and Voting; County Clerks; Local Governments

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation provides for the determination of whether a notification from a local or state jurisdiction outside of Kentucky has in fact identified a Kentucky voter who is now registered to vote in a jurisdiction outside of Kentucky and provides for the process for such removal following that determination.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to establish uniform procedures for the requirements of KRS 116113(5).

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 117.0145(1)(a) enables the State Board of Elections to promulgate this administrative regulation.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation will allow for uniform procedures for the requirements of KRS 116113(5).

(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) Does this administrative regulation or amendment implement legislation from the previous five years? No.

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

This administrative regulation will affect county clerks and the State Board of Elections.

(5) Provide an analysis of how the entities identified in question (4) 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 (4) will have to take to comply with this administrative regulation or amendment. To comply with this

administrative regulation, county clerks and the State Board of Elections will need to follow the procedures outlined.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): The entities identified should not incur any more costs than are already being expended.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): Compliance with this new administrative regulation will allow for uniform procedures for the requirements of KRS 116113(5).

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

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

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

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

(8) 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: No increase in fees or funding will be necessary to implement this administrative regulation.

(9) 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.

(10) 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 requirements of KRS 116113(5).

FISCAL IMPACT STATEMENT

31 KAR 3:050

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 116.113(5) and 117.015(1)(a) require and authorize the actions taken by this administrative regulation.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: This administrative regulation is not expressly authorized by the enactment of KRS 116.113(5), but is authorized by the enactment of KRS 117.015(1)(a).

(3)(a) 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 and county clerks.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):
1. Expenditures:

For the first year: The State Board of Elections expects that this administrative regulation will cost the agency no more to administer than is currently expended.

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

2. Revenues:

For the first year: It is not expected or intended that this administrative regulation will generate any revenue.

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

3. Cost Savings:

For the first year: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings.

For subsequent years: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): This administrative regulation will affect county clerks.

(b) Estimate the following for the first year:

1. Expenditures:

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

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

2. Revenues:

For the first year: It is not expected or intended that this administrative regulation will generate any revenue.

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

3. Cost Savings:

For the first year: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings for the regulated entities.

For subsequent years: The State Board of Elections expects that this administrative regulation will not generate any specific cost savings for the regulated entities.

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): This administrative regulation will not affect any other entities.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:

For subsequent years:

2. Revenues:

For the first year:

For subsequent years

3. Cost Savings:

For the first year:

For subsequent years:

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: The State Board of Elections expects that this administrative regulation will have little to no fiscal impact on the regulated entities, outside those expenditures already undertaken.

(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.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14): The State Board of Elections does not expect that this administrative regulation will result in a "major economic impact" as the combined implementation and compliance costs of an administrative regulation are not expected to rise to at least five hundred thousand dollars (\$500,000) over any two (2) year period.

(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.