

1 STATE BOARD OF ELECTIONS

2 (Amendment)

3 31 KAR 4:100. Evaluation of precinct election officers.

4 RELATES TO: KRS 117.045(1)(c)

5 STATUTORY AUTHORITY: KRS 117.015(1)(a), 117.045(1)(c)

6 CERTIFICATION STATEMENT: This is to certify that this administrative regulation
7 complies with the requirements of 2025 RS HB6, Section 8.

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 117.015(1)(a) authorizes the State
9 Board of Elections to promulgate administrative regulations necessary to properly carry
10 out its duties. KRS 117.045(1)(c) requires the State Board of Elections to promulgate an
11 administrative regulation establishing evaluation procedures which county boards of
12 elections may use to qualify persons nominated to serve as precinct elections officers.
13 This administrative regulation establishes those evaluation procedures.

14 Section 1. In evaluating if a person nominated to serve as a precinct election officer
15 is qualified to serve in that capacity, a county board of elections may use the following
16 evaluation procedures:

17 (1) Determine if the person submitted a signed statement in accordance with KRS
18 117.045(2);

1 (2) Determine if the person meets the qualifications set forth in KRS 117.045(9);

2 and

3 (3) Determine if the person has a history of refusing to follow election procedures
4 or has demonstrated a ~~[complete]~~ lack of understanding of proper election procedures
5 while serving as a precinct election officer in the past.

6 Section 2. A county board of elections shall refuse to appoint a person nominated
7 to serve as a precinct election officer if it determines that the person is not qualified based
8 on the evaluation procedures set forth in Section 1 of this administrative regulation.

9 Section 3. Once the county board of elections has appointed the precinct election
10 officers, the full name, address, phone number, and Social Security number, if available,
11 of each person appointed shall be submitted to the State Board of Elections within three
12 (3) days of the appointment on SBE 22, List of Appointment of Precinct Election Officers.

13 Section 4. Incorporation by Reference.

14 (1) "List for Appointment of Precinct Election Officers", SBE 22, 10/2025~~February~~
15 ~~2007~~], is incorporated by reference.

16 (2) This material may be inspected, copied, or obtained, subject to applicable
17 copyright law, at the State Board of Elections, 140 Walnut Street, Frankfort, Kentucky
18 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

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

Karen Sellers

Executive Director, State Board of Elections

10/13/25
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on December 22, 2025, at 11:00 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 December 31, 2025. 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 4:100

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 establishes evaluation procedures which county boards of elections may use to qualify persons nominated to serve as precinct elections officers..

(b) The necessity of this administrative regulation: This administrative regulation is necessary to maintain the maximum degree of correctness, impartiality, and efficiency in the procedures of voting.

(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 assists in maintaining the maximum degree of correctness, impartiality, and efficiency in the procedures of voting.

(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: This amendment eliminates the term "complete" from the existing term "a complete lack of understanding" and updates the Form SBE 22.

(b) The necessity of the amendment to this administrative regulation: This amendment eliminates a non-definable standard and updates the Form SBE 22 for the first time since 2007.

(c) How the amendment 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 the amendment will assist in the effective administration of the statutes:
This amendment will assist in maintaining the maximum degree of correctness, impartiality, and efficiency in the procedures of voting.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? This amendment does not implement legislation from the previous five years.

(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 voters of the Commonwealth, county boards of election, 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 amendment, county boards of election will need to use the new Form SBE 22.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): The State Board of Elections estimates that the implementation of this administrative regulation will have minimal costs.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): Compliance with this new administrative regulation will benefit all by assisting in maintaining the maximum degree of correctness, impartiality, and efficiency in the procedures of voting.

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

(a) Initially: The cost of the implementation of this administrative regulation for the State Board of Elections will be minimal.

(b) On a continuing basis: The continuing costs of this administrative regulation for the State Board of Elections will be minimal.

(7) 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.

(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: Implementation of this administrative regulation can be achieved without an increase in fees or funding by the General Assembly.

(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 administration of elections throughout all of the counties in the Commonwealth.

FISCAL IMPACT STATEMENT

31 KAR 4:100

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) and KRS 117.045(1)(c) 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 expressly authorized by the creation of KRS 117.015(a), 2005 Ky. Acts ch. 91, sec. 2.

(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.

(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 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 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 boards of election.

(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 affect voters of the Commonwealth.

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

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.

(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.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

The "List for Appointment of Precinct Election Officers", SBE 22, 10/2025, is the 1-page form on which those individuals who wish to serve as a precinct election officer sign stating that they are willing to serve as a precinct election officer, have not failed to serve without excuse in the past, and have not been convicted of an election law offense or any felony, unless their civil rights have been restored by the Governor, that they possess the required qualifications of an election officer belonging to the political party indicated, and that they understand that they are required by law to attend a training session conducted by the County Board of Elections.

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

The "List for Appointment of Precinct Election Officers", SBE 22, 10/2025, is the 1-page form on which those individuals who wish to serve as a precinct election officer sign stating that they are willing to serve as a precinct election officer, have not failed to serve without excuse in the past, and have not been convicted of an election law offense or any felony, unless their civil rights have been restored by the Governor, that they possess the required qualifications of an election officer belonging to the political party indicated, and that they understand that they are required by law to attend a training session conducted by the County Board of Elections. The form was amended to replace social security numbers with birth dates as identifiers and to replace unneeded statutory citations.

LIST FOR APPOINTMENT OF PRECINCT ELECTION OFFICERS**PARTY** _____ **COUNTY** _____ **PRECINCT** _____

I hereby state that I am willing to serve as a precinct election officer, have not failed to serve without excuse in the past, and have not been convicted of an election law offense or any felony, unless my civil rights have been restored by the Governor. I further state that I possess the required qualifications of an election officer belonging to the political party indicated above. I understand that if I am selected as a precinct officer, I am required by law to attend a training session conducted by the County Board of Elections.

1.	FULL NAME ► (Please Print)	
	SIGNATURE	
	DATE OF BIRTH	
	STREET ADDRESS	
	CITY, STATE, ZIP CODE	
	TELEPHONE NUMBER	

2.	FULL NAME ► (Please Print)	
	SIGNATURE	
	DATE OF BIRTH	
	STREET ADDRESS	
	CITY, STATE, ZIP CODE	
	TELEPHONE NUMBER	

3.	FULL NAME ► (Please Print)	
	SIGNATURE	
	DATE OF BIRTH	
	STREET ADDRESS	
	CITY, STATE, ZIP CODE	
	TELEPHONE NUMBER	

4.	FULL NAME ► (Please Print)	
	SIGNATURE	
	DATE OF BIRTH	
	STREET ADDRESS	
	CITY, STATE, ZIP CODE	
	TELEPHONE NUMBER	

The undersigned hereby certifies that the above have been selected and recommended as suitable persons from whom to appoint as precinct election officers for the precinct indicated above. I further certify that this list contains the statement required by KRS 117.045 that each person is willing to serve, has not failed to serve without excuse in the past, and has not been convicted of an election law offense or any felony, unless his civil rights have been restored by the Governor.

_____ SIGNATURE CHAIR, COUNTY EXECUTIVE COMMITTEE	_____ TITLE	_____ DATE
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LIST FOR APPOINTMENT OF PRECINCT ELECTION OFFICERS

PARTY _____ COUNTY _____ PRECINCT _____

I hereby state that I am willing to serve as a precinct election officer, have not failed to serve without excuse in the past, and have not been convicted of an election law offense or any felony, unless my civil rights have been restored by the Governor. I further state that I possess the required qualifications of an election officer belonging to the political party indicated above. I understand that if I am selected as a precinct officer, I am required by law to attend a training session conducted by the County Board of Elections.

1.	FULL NAME ► (Please Print)	
	SIGNATURE	
	SOCIAL SECURITY NUMBER	
	STREET ADDRESS	
	CITY, STATE, ZIP CODE	
	TELEPHONE NUMBER	

2.	FULL NAME ► (Please Print)	
	SIGNATURE	
	SOCIAL SECURITY NUMBER	
	STREET ADDRESS	
	CITY, STATE, ZIP CODE	
	TELEPHONE NUMBER	

3.	FULL NAME ► (Please Print)	
	SIGNATURE	
	SOCIAL SECURITY NUMBER	
	STREET ADDRESS	
	CITY, STATE, ZIP CODE	
	TELEPHONE NUMBER	

4.	FULL NAME ► (Please Print)	
	SIGNATURE	
	SOCIAL SECURITY NUMBER	
	STREET ADDRESS	
	CITY, STATE, ZIP CODE	
	TELEPHONE NUMBER	

The undersigned hereby certifies that the above have been selected and recommended as suitable persons from whom to appoint as precinct election officers for the precinct indicated above. I further certify that this list contains the statement required by KRS 117.045 that each person is willing to serve, has not failed to serve without excuse in the past, and has not been convicted of an election law offense or any felony, unless his civil rights have been restored by the Governor.

_____ SIGNATURE CHAIR, COUNTY EXECUTIVE COMMITTEE	_____ TITLE	_____ DATE
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