

1 STATE BOARD OF ELECTIONS

2 (Amendment)

3 31 KAR 4:196. Consolidation of precincts and precinct election officers.

4 RELATES TO: KRS 117.066, 118.710, 118.720, 118.730

5 STATUTORY AUTHORITY: KRS 117.015(1)(a), KRS 117.066(3)

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 117.066(3) requires the State Board of Elections to promulgate
11 administrative regulations to provide for a form on which a county board of elections may
12 petition the State Board of Elections to allow for the consolidation of precincts and the
13 consolidation of precinct election officers at any voting location where voters of more
14 than one (1) precinct vote. This administrative regulation establishes the form for a county
15 board of elections to petition the State Board of Elections to allow for the consolidation
16 of precincts and the consolidation of precinct election officers at any voting location
17 where voters of more than one (1) precinct vote.

1 Section 1. A county board of elections shall petition the State Board of Elections to
2 allow the consolidation of precincts and the consolidation of precinct election officers at
3 any voting location where voters of more than one (1) precinct vote, by filing with the
4 State Board of Elections, the Petition to Consolidate Precincts and Precinct Election
5 Officers, Form SBE 74, no later than one hundred twenty (120)~~[ninety (90)]~~ days before a
6 primary or general election, or fifty-six (56)~~[ten (10)]~~ days before a special election ~~[after~~
7 ~~a proclamation is issued under KRS 118.710 or 118.720, or a writ of election is issued~~
8 ~~under KRS 118.730]~~. The State Board of Elections may request, at any time, from any
9 county, a resubmission of a timely filed petition to consolidate precincts and precinct
10 election officers if the petition is found to be deficient or incomplete upon review by the
11 State Board of Elections.

12 Section 2. The submission of Form SBE 74 shall be accompanied by no less than
13 one (1) map, scalable to a sheet of 8.5 in. x 11 in. paper of the county showing the location
14 of any consolidated precincts comprising a county-wide vote center.

15 Section 3. Incorporated by Reference.

16 (1) "Petition to Consolidate Precincts and Precinct Election Officers", Form SBE 74,
17 08/2023, is incorporated by reference.

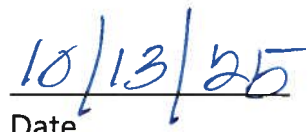
18 (2) This material may be inspected, copied, or obtained, subject to applicable
19 copyright law, at the State Board of Elections, 140 Walnut Street, Frankfort, Kentucky
20 Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

- 1 (3) This material may also be obtained on the board's Web site at
- 2 <https://elect.ky.gov>.



Karen Sellers

Executive Director, State Board of Elections



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 4:196

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 the form used by county board of elections to petition the State Board of Elections to allow the consolidation of precincts and the consolidation of precinct officers at any voting location where voters of more than one (1) precinct vote, as required by KRS 117.066(3).

(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 changes the time that a petition must be submitted from ninety (90) days to one hundred twenty (120) days before a primary or general election, and from ten (10) after a proclamation is issued under KRS 118.710 or 118.720, or a writ of election is issued under KRS 118.730] to fifty-six (56) days before a special election.

(b) The necessity of the amendment to this administrative regulation: This amendment synchs the administrative regulation with the statutory timeframes of KRS 117.066, KRS 118.710, KRS 118.720, and KRS 118.730.

(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 submit their petitions timely.

(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 4:196

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), KRS 117.066, KRS 118.710, KRS 118.720, and KRS 118.730 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 "Petition to Consolidate Precincts and Precinct Election Officers", Form SBE 74, 08/2023, is the 1-page form that county boards of elections must use to petition the State Board of Elections to consolidate precincts and precinct election officers.



Commonwealth of Kentucky

Petition to Consolidate Precincts and Precinct Election Officers

County Name	
Election	Dates of Voting
Person Completing this Form	
Name	
Title	
About Voting Location	
<i>Example: Tulip Poplar High, 123 Main Street, County High School</i>	
Name	
Address	
Type	
Number of Parking Spaces	Sufficient Parking Spaces?
Voting Equipment to be Used	
Number	Type of equipment

Precincts in Voting Location	
Precinct name	Number of registered voters

Narrative Plan <i>(please attach additional sheets if needed)</i>
1.) Why is this consolidation of these precincts desirable? ☐ This is the same plan used in the last election
2.) In what manner will Precinct Officers be assigned? ☐ This location will be fully staffed with election officials
3.) How will the voting location be publicized to voters? How will the location be noted as a "Vote Center?"
4.) How will the voting location serve as a focal point to meet the needs of a diverse community?