

**STATE BOARD OF ELECTIONS**  
**(Amended at ARRS Committee)**

**31 KAR 4:201. Chain of custody for records during an election contest.**

RELATES TO: KRS 120.205, 120.215

STATUTORY AUTHORITY: KRS 117.015(1)(a), 120.205, 120.215

NECESSITY, FUNCTION, AND CONFORMITY: KRS 117.015(1)(a) authorizes the State Board of Elections to promulgate administrative regulations necessary to properly carry out its duties. KRS 120.205 and KRS 120.215 require the State Board of Elections to promulgate administrative regulations to provide for a form ~~that~~ documents any individuals transporting all voting equipment, ballots, boxes, precinct rosters, and other voting records related to an election contest involving an election of a Governor and Lieutenant Governor or a member of the General Assembly. This administrative regulation establishes that form.

Section 1. ~~If~~ ~~in the event that~~ a board is established under KRS 120.205 or KRS 120.215 to try a contested election of a Governor and Lieutenant Governor or a member of the General Assembly, the possession of all components of a voting system, ballots, ballot boxes, precinct rosters, and any other voting records sent for by the board shall not transfer unless the transfer is:

- ~~(1)~~ Documented in writing on Form SBE 75, ~~the~~ Election Contest Chain-of-Custody; and
- ~~(2)~~ In compliance with the directions on the form.

Section 2. Incorporated by Reference.

(1) "Election Contest Chain-of-Custody", Form SBE 75, ~~08/2022~~~~104/2022~~, is incorporated by reference.

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

~~(3)~~ This material is also available on the board's Web site at <https://elect.ky.gov>.

(48 Ky.R. 3118; 49 Ky.R. 1030; eff. 1-31-2023.)

FILED WITH LRC: October 11, 2022

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