

STATE BOARD OF ELECTIONS
(Amendment)

31 KAR 4:080. Preclearance counties.

RELATES TO: KRS 117.020

STATUTORY AUTHORITY: KRS 117.015(1)(a)

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

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. This administrative regulation is necessary to ensure that if the State Board of Elections designates a county as a preclearance county, all decisions of the county board of elections are timely reported to and subject to the approval of the State Board of Elections.

Section 1. If a county is designated as a preclearance county pursuant to KRS 117.020, all decisions of the county board of elections shall be subject to approval by the State Board of Elections. All decisions of the county board of elections of a preclearance county shall be in writing and sent by certified mail to the State Board of Elections no later than three (3) days after the date of the decision.

Section 2. A decision by the county board of elections of a preclearance county shall not be final until it has been approved by the State Board of Elections and that approval is communicated in writing to the county board of elections.

Section 3. If a decision of the county board of elections of a preclearance county requires approval of the State Board of Elections before the next regularly scheduled meeting of the State Board of Elections, the Executive Director of the State Board of Elections may approve or disapprove the decision of the county board of elections.

Section 4. On primary, regular election, and special election days, the duties of the county board of elections given under KRS 117.035(4)(c) shall be overseen by an appointee of the State Board of Elections, who shall have the authority to approve decisions of the county board on behalf of the State Board of Elections.

(031 KAR 004:080. 21 Ky.R. 1398; 1719; eff. 1-9-1995; Crt eff. 3-6-2019; 52 Ky.R. 791; eff. 5-5-2026.)

KAREN SELLERS, Executive Director

APPROVED BY AGENCY: October 13, 2025

FILED WITH LRC: October 14, 2025 AT 11:55 a.m.

PUBLIC HEARING AND 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.