

**STATE BOARD OF ELECTIONS**  
**(Amendment)**

**31 KAR 4:120. Additional and emergency precinct officers.**

RELATES TO: KRS~~[117.015,]~~ 117.045

STATUTORY AUTHORITY: KRS 117.015(1)(a), 117.045(6)

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~~[implement the provisions of KRS Chapter 117]~~. KRS 117.045(6) requires the State Board of Elections to promulgate an administrative regulation establishing conditions under which additional precinct officers may be approved. This administrative regulation establishes the conditions under which additional precinct officers may be approved~~[,]~~ and establishes the form of the list of emergency election officer appointments required by KRS 117.045(5).

Section 1. Request to Appoint Additional Precinct Officers. A county board of elections seeking permission to appoint additional precinct officers, pursuant to KRS 117.045(6), shall file with the State Board of Elections SBE 23, Additional Precinct Officer Request, that contains the following information:

- (1) The precinct number of each precinct for which approval of additional officers is sought;
- (2) For each designated precinct, the reasons additional precinct officers are necessary;
- (3) For each designated precinct, whether one (1) or two (2) additional precinct officers are requested; and
- (4) The election for which approval is sought, designating whether the election is a primary, general, or special election.

Section 2. Approval of Request.

- (1) The State Board of Elections may approve a request to appoint additional precinct officers if the request sets forth a reasonable explanation why voting may not be conducted safely and expediently unless additional precinct officers are appointed.
- (2) Approval of a request to appoint additional precinct officers shall be granted for one (1) election only.
- (3) Approval of a request to appoint additional precinct officers may authorize a county board of elections to appoint one (1) or two (2) additional precinct officers.
- (4) If a county board of elections requests and is approved to appoint two (2) additional precinct officers:
  - (a) The two (2) additional precinct officers shall not be of the same political party; and
  - (b) If it appears from the list of precinct officers submitted to the State Board of Elections pursuant to KRS 117.045(8) that the two (2) additional precinct officers are of the same political party, then the State Board of Elections shall revoke its approval of the request to appoint additional precinct officers and the appointments shall be invalid.

Section 3. Duties of Additional Precinct Officers. The duties of additional precinct officers shall be prescribed by the county board of elections.

Section 4. Request to Appoint Emergency Precinct Officers. A county board of elections seeking permission to appoint emergency precinct officers pursuant to KRS 117.045(5) shall file with the State Board of Elections SBE 24, Emergency Precinct Officer Request, which contains the following information:

- (1) The precinct number of each precinct for which approval of additional officers is sought;
- (2) The name of the officer requested, the registered party of the officer, and the party the officer will be serving as for the specified election;
- (3) The election for which approval is sought, designating whether the election is a primary, general, or special election; and
- (4) A description of the efforts made to acquire precinct officers in the party, democrat or republican, which did not have enough workers as required by KRS 117.045(5).

Section 5. Incorporation by Reference.

- (1) The following material is incorporated by reference:
  - (a) "Additional Precinct Officer Request", SBE 23, ~~10/2025~~[January 2015 edition]; and
  - (b) "Emergency Precinct Officer Request", SBE 24, ~~10/2025~~[August 2007] edition.
- (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 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

*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.

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**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 conditions under which additional precinct officers may be approved and the form of the list of emergency election officer appointments required by KRS 117.045(5).

**(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 updates Form SBE 23 and Form SBE 24.

**(b) The necessity of the amendment to this administrative regulation:**

This amendment brings updates to Form SBE 23 for the first time since 2015 and to Form SBE 24 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, vendors serving as program administrators, 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 23 and new Form SBE 24.

**(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 or this amendment:**

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 establishes any fees or directly or indirectly increases any fees:**

No fees are associated with this administrative regulation.

**(10) TIERING: Is tiering applied?**

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

**(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 117.045(5), and KRS 117.045(6) 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:

**(b) Estimate the following for each affected local entity identified in (4)(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.

**(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 reach this conclusion:**

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.