

118A.010 Definitions -- Applicability of provisions of KRS Chapter 118.

As used in this chapter, unless the context otherwise requires:

- (1) "Ballot" or "official ballot" means the official presentation of offices and candidates to be voted for, including write-in candidates, and all public questions submitted for determination, and shall include a voting machine ballot, a paper ballot, an absentee ballot, a special ballot, or a supplemental paper ballot which has been authorized for the use of the voters in any primary, regular election, or special election by the Secretary of State or the county clerk;
- (2) "Election" refers only to elections for offices of the Court of Justice;
- (3) "Voting equipment" means any physical component of a voting system and includes voting machines where voting machines are in operation;
- (4) "Voting machine" or "machine" means a part of a voting system that consists of:
 - (a) A direct recording electronic voting machine that:
 1. Records votes by means of a ballot display provided with mechanical or electro-operated components that may be actuated by the voter;
 2. Processes the data by means of a computer program;
 3. Records voting data and ballot images in internal and external memory components; and
 4. Produces a tabulation of the voting data stored in a removable memory component and on a printed copy; or
 - (b) One (1) or more electronic devices that operate independently or as a combination of a ballot marking device and an electronic or automatic vote tabulating device; and
- (5) "Voting system" means:
 - (a) The total combination of physical, mechanical, electromechanical, or electronic equipment, including the software, hardware, firmware, and documentation required to program, control, and support that equipment, that is used to:
 1. Define ballots;
 2. Cast and count votes;
 3. Report or display election results; and
 4. Maintain and produce any audit trail information; and
 - (b) The practices and associated documentation used to:
 1. Identify system components and versions of those components;
 2. Test the system during its development and maintenance;
 3. Maintain records of system errors and defects;
 4. Determine specific system changes to be made to a system after the initial qualification of the system; and
 5. Make available any materials to the voter, such as notices, instructions, forms, or paper ballots.

No provisions of KRS Chapter 118 existing on March 10, 1976, except KRS 118.015 through 118.045 shall apply to such elections. All other provisions of the election laws not inconsistent with this chapter shall be applicable thereto.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 197, sec. 57, effective June 29, 2021. -- Amended 2003 Ky. Acts ch. 66, sec. 17, effective June 24, 2003. -- Amended 1982 Ky. Acts ch. 360, sec. 42, effective July 15, 1982. -- Created 1976 Ky. Acts ch. 54, sec. 1, effective March 10, 1976.