

**118A.090 Determination of order of names on ballot for regular election -- Secretary of State's duties -- Ballot labels -- Ballot position unalterable -- District, circuit, or numbered division candidate with most votes elected.**

- (1) For the regular election, the order of names on the ballot for each district or circuit, and numbered division if divisions exist, shall be determined by lot at a public drawing to be held in the office of the Secretary of State at 2 p.m., standard time, on the Thursday following the first Tuesday after the first Monday in June preceding the regular election, except as provided in KRS 118A.100(6).
- (2) Not later than the date set forth in KRS 118.215(1)(b) after the filing deadline for the regular election in a year in which there is no election for President and Vice President of the United States, or not later than the date set forth in KRS 118.215(1)(c) preceding a regular election in a year in which there is an election for President and Vice President of the United States, and after the order of names on the ballot has been determined as required in subsection (1) of this section, the Secretary of State shall:
  - (a) Certify to the county clerks of the respective counties entitled to participate in the election of the various candidates, the name and place of residence of each candidate for each office, by district or circuit, and numbered division if divisions exist, as certified under KRS 118A.060; and
  - (b) Designate for the county clerks the office of the Court of Justice with which the names of candidates shall be printed and the order in which they are to appear on the ballot.
- (3) The ballot position of a candidate shall not be changed after the ballot position has been designated by the Secretary of State. The county clerks of each county shall cause to be printed on the ballots for the regular elections the names of the candidates for offices of the Court of Justice.
- (4) The names of the candidates shall be placed on the ballots in a separate column or columns or in a separate line or lines and identified by the words "Judicial Ballot," and in such a manner that the casting of a vote for all of the candidates of a political party will not operate to cast a vote for judicial candidates. The words "Vote for one" or "Vote for one in each division," shall be printed on the ballot in an appropriate location. The office, numbered division thereof if divisions exist, and the candidates therefor shall be clearly labeled. No party designation or emblem of any kind, nor any sign indicating any candidate's political belief or party affiliation, shall be used on any ballot.
- (5) The candidate receiving the highest number of votes cast at the regular election for a district or circuit, or for a numbered division thereof if divisions exist, shall be elected.

**Effective:** June 29, 2021

**History:** Amended 2021 Ky. Acts ch. 197, sec. 59, effective June 29, 2021. -- Amended 2018 Ky. Acts ch. 162, sec. 5, effective November 7, 2018. -- Amended 2008 Ky. Acts ch. 79, sec. 16, effective July 15, 2008. -- Amended 1998 Ky. Acts ch. 2, sec. 11, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 195, sec. 19, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 296, sec. 19, effective July 14, 1992. --

Amended 1990 Ky. Acts ch. 48, sec. 61, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 470, sec. 38, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 185, sec. 26, effective July 13, 1984. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 12. -- Created 1976 Ky. Acts ch. 54, sec. 9, effective March 10, 1976.

**Legislative Research Commission Note** (2/12/2018). In subsection (2) of this statute, a reference to "KRS 118.215(1)(c)" has been changed to read "KRS 118.215(1)(b)," and a reference to "KRS 118.215(1)(d)" has been changed to read "KRS 118.215(1)(c)." When KRS 118.215 was amended in 2008 Ky. Acts ch. 129, sec. 8, the paragraphs in subsection (1) of that statute were renumbered, but this statute was not included in that Act to also conform the citations to the paragraphs of KRS 118.215(1) in this statute. The Reviser of Statutes has made the conforming change under the authority of KRS 7.136.