

117.383 Administrative regulations relating to voting.

The State Board of Elections shall promulgate administrative regulations under KRS Chapter 13A which shall maintain the maximum degree of correctness, impartiality, and efficiency of the procedures of voting and shall provide methods to:

- (1) Count, tabulate, and record votes;
- (2) Place items on any ballot which shall, as closely as possible, follow the requirements pertaining to ballots;
- (3) Design the ballots to include a system to ensure an accurate record of all voting activities;
- (4) Instruct voters in the use of the voting system, including any ballot marking device;
- (5) Provide for checking the accuracy of the voting system;
- (6) Provide necessary supplies, including those necessary for a write-in vote, to ensure voter privacy;
- (7) As part of the official canvass, provide for a manual recount of randomly selected precincts representing three percent (3%) to five percent (5%) of the total ballots cast in each election;
- (8) Provide for the conducting and review of an audit of any component of a voting system or any voting equipment, and a review of any audit log;
- (9)
 - (a) Provide for the conducting and review of an election audit, including a risk-limiting audit, and risk-limiting audit pilot program, all of which shall establish the protocol by which ballots are checked, compared, and verified with the results produced by vote tallying equipment to ensure accuracy.
 - (b) The pilot program shall, at a minimum, include individuals representing the State Board of Elections, the Office of the Secretary of State, and no fewer than five percent (5%) of Kentucky's counties.
 - (c) The risk-limiting audit and risk-limiting audit pilot program shall make the results of its findings available to the public;
- (10) Provide a method for maintaining sufficient documents, including ballots and records, so that votes can be recounted;
- (11) Ensure the county board of elections produces accurate precinct-by-precinct summaries of tabulation sheets showing the results of each precinct during in-person absentee voting, election day voting, and when a county is approved to use a vote center;
- (12) Except as otherwise required in this chapter, all records and papers relating to specified elections be retained for twenty-two (22) months, such documents and records shall be maintained for thirty (30) days following an election; and
- (13) Unless contrary to the Help America Vote Act of 2002, ensure that all federal provisional voting shall be conducted in a manner as prescribed by KRS Chapters 116 to 120.

Effective: April 7, 2022

History: Amended 2022 Ky. Acts ch. 87, sec. 17, effective April 7, 2022. -- Amended 2021 Ky. Acts ch. 197, sec. 44, effective June 29, 2021. -- Amended 2020 Ky. Acts ch. 89, sec. 24, effective July 15, 2020. -- Amended 1986 Ky.

Acts ch. 470, sec. 19, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 44, sec. 5, effective March 2, 1984. -- Created 1982 Ky. Acts ch. 360, sec. 5, effective July 15, 1982.