

117.0861 Persons who may exercise control over mail-in absentee ballots.

- (1) No person shall knowingly collect, gain possession of, deliver, or exercise control over a mail-in absentee ballot, except for:
 - (a) A voter personally casting his or her ballot by means of mail-in absentee ballot;
 - (b) An election official engaged in official duties as prescribed in KRS Chapters 116 to 120;
 - (c) A United States Postal Service worker or any other person who is allowed by law to transmit United States mail if the worker or other person is engaged in official duties;
 - (d) A family member of the voter:
 1. Who shall be related to the voter as set forth in KRS 6.611(16)(a), or as established by marriage, adoption, or legal guardianship; and
 2. Who is designated by the voter to assist in the mail-in absentee voting process;
 - (e) A person:
 1. Who shares the same residence of the voter; and
 2. Is designated by the voter to assist in the mail-in absentee voting process;
 - (f) A caregiver or employee:
 1. Who provides medical or healthcare assistance to the voter in a residence, nursing care institution, hospice facility, assisted living center, assisted living facility, assisted living home, residential care institution, adult day healthcare facility, or adult foster home; and
 2. Who is ordinarily engaged in duties related to the receiving and delivering of mail matter; and
 - (g) An employee of a jail who is ordinarily engaged in official duties related to the delivery of mail matter.
- (2) For subsection (1)(f) and (g) of this section, the person collecting, possessing, delivering, or exercising control over a mail-in absentee ballot shall at all times handle the ballot so that all information contained on the ballot remains private to the voter as required by KRS 118.025(1).
- (3) For subsection (1)(d) and (e) of this section, the person designated by the voter shall not have been:
 - (a) Declared mentally disabled by a court of competent jurisdiction, which adjudication has not been set aside; or
 - (b) Convicted of an election law offense whose civil rights have not been restored by the Governor.

Effective: April 27, 2024

History: Amended 2024 Ky. Acts ch. 224, sec. 8, effective April 27, 2024. -- Created 2021 Ky. Acts ch. 197, sec. 6, effective June 29, 2021.