

**116.113 Removal of voter's name by state board upon notice of death, declaration of incompetency, excusal from jury duty due to not being a citizen of the United States, conviction of felony, or out-of-state registration -- Notice to county clerk.**

- (1) (a) Upon receipt of notification from the Cabinet for Health and Family Services or other reliable sources of the death of a person, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, general, or special election.
- (b) To ensure that the State Board of Elections accurately removes names from the voter registration records it maintains, the Cabinet for Health and Family Services shall provide a copy of the lifetime Kentucky death records to the State Board of Elections on or before July 1 of each year.
- (2) Upon receipt of notification from the circuit clerk that a person has been declared incompetent, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, general, or special election.
- (3) Upon receipt of notification from the Administrative Office of the Courts that a person has been excused from jury duty for not being a citizen of the United States, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, general, or special election.
- (4) Upon receipt of notification from the Administrative Office of the Courts or the United States Department of Justice that a person has been convicted of a felony offense, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, general, or special election.
- (5) Upon receipt of notification from a local or state jurisdiction that a voter has registered to vote in the new local or state jurisdiction outside of the Commonwealth, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records that it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, regular election, or special election.
- (6) Following the purge of a name from the records of the State Board of Elections, the state board shall notify the clerk of the county in which the voter lived of the action; and the county clerk shall within ten (10) days update the county voter registration files to reflect the necessary change. If a protest is filed by the voter, the county board shall hear it at its next regular monthly meeting. If the county board decides in favor of the protesting voter, the voter's registration record shall be restored, including his or her voting record. If the protest is filed while the registration books

are closed and the county board decides in favor of the protesting voter, the county board shall issue the voter an "Authorization to Vote" for the upcoming election and the voter's record shall be restored when the registration books open following the election.

**Effective:** July 15, 2024

**History:** Amended 2024 Ky. Acts ch. 177, sec. 4, effective July 15, 2024. -- Amended 2021 Ky. Acts ch. 197, sec. 5, effective June 29, 2021. -- Amended 2005 Ky. Acts ch. 99, sec. 116, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 63, sec. 7, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 426, sec. 99, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 48, sec. 9, effective July 13, 1990. -- Created 1988 Ky. Acts ch. 341, sec. 8, effective July 15, 1988.