

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2017 REGULAR SESSION
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Amend printed copy of **SB 145/GA**

On page 10, after line 24, by deleting all of Sections 3 and 4 in their entirety and inserting in lieu thereof the following:

"➔Section 3. KRS 242.020 is amended to read as follows:

(1) A petition for **a local option**~~[an]~~ election shall be signed by a number of constitutionally qualified voters of the territory to be affected, equal to twenty-five percent (25%) of the votes cast in the territory at the last preceding **regular**~~[general]~~ election. The petition **for a local option election** may consist of one (1) or more separate units, and shall be filed with the county clerk **in accordance with this section**.

(2) **(a) Before a petition for a local option election may be presented for signatures, an intent to circulate the petition, including a copy of the unsigned petition, shall be filed with the county clerk by any person or group of persons seeking the local option election.**

(b) After a petition for a local option election has received no fewer than the number of qualifying signatures required by subsection (1) of this section the signed petition shall be filed with the county clerk.

(c) If the local option petition is to be held on any day other than a primary or regular election date, a person or group of person seeking the local option election shall post bond with the Circuit Court to cover all costs of the election within five (5)

Amendment No. HFA 3

Rep. Rep. Kenny Imes

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: Kiser, Roberta

Adopted: _____

Date: _____

Rejected: _____

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days after the signed petition is filed under paragraph (b) of this subsection. The cost of the election shall be established by the county judge/executive to determine the bond amount.

(3) The petition for a local option election, in addition to the signature and legibly printed name of each~~the~~ voter, shall state also the voter's residence address, year~~date~~ of birth, and the correct date upon which the voter's name was signed.

~~(4)~~(3) No signer of the petition for a local option election may withdraw his or her name or have it taken from the petition after the petition has been filed. If the name of any person has been placed on the petition for election without that person's authority, the person may appear before the county judge/executive before the election is ordered and upon proof that the person's name was placed on the petition without his or her authority, the person's name and personal information required in subsection (3) of this section shall~~may~~ be eliminated by an order of the county judge/executive. When the person's name and personal information have~~has~~ been eliminated, he or she shall not be counted as a petitioner.

~~(5)~~(4) A petition seeking a local option election under this section shall state "We the undersigned registered voters hereby petition for an election on the following question: 'Are you in favor of the sale of alcoholic beverages in (name of territory)?'". No petition for a referendum shall be circulated for more than six (6) months prior to its filing.

~~(6)~~(5) After a petition for a local option election has been filed in conformity with this section, the county judge/executive shall make an order on the order book of the court directing that the local option question may be placed on the ballot for the next primary or regular~~an~~ election to be held in that territory. If the date of the local option election stated in the petition as provided in subsection (1) of Section 4 of this Act is a date other than a primary or regular election day, all election costs for such a local option election

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shall be borne by the person or group of persons who circulated the petition.

~~(Z)(6)~~ Substantial compliance with the wording designated under this chapter for a particular type of petition is sufficient to validate the actual wording of the petition.

➔Section 4. KRS 242.030 is amended to read as follows:

- (1) The date of the local option election **shall**~~[may]~~ be stated in the petition for **the local option** election.~~[If the date is not stated, it shall be designated by the county judge/executive.]~~
- (2) The local option election shall be held **no**~~[not]~~ earlier than sixty (60) **and no**~~[not]~~ later than ninety (90) days after the date the petition is filed with the county clerk.
- (3) The local option election **may**~~[shall not]~~ be held on the same day that a primary or **regular**~~[general]~~ election is held in the territory~~[or any part of the territory, nor within thirty (30) days next preceding or following a regular political election]~~.
- (4) A local option election in any territory less than the county **may**~~[shall not]~~ be held on the same day on which an election for the entire county is held~~[, except as approved in KRS 242.125]~~.
- (5) No local option election shall be held in the same territory more than once in every three (3) years.
- (6) In order for the local option election to be held on the day fixed by law for holding a primary, the petition shall be filed no earlier than the first Wednesday after the first Monday in November of the year preceding the day on which the primary is to be held and no later than the last Tuesday in January preceding the day fixed by law for holding the primary.**
- (7) In order for the local option election to be held on the day fixed by law for a regular election, the petition shall be filed no later than the second Tuesday in August preceding the day fixed by law for holding the regular election.**"; and

On page 23, after line 16, insert the following:

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"Section 11. Whereas it is increasingly burdensome for the cities, counties, urban-counties, charter counties, consolidated local governments, and unified local governments, to bear the costs of local option elections, an emergency is declared to exist, and this Act shall take effect upon its passage and approval by the Governor or upon its otherwise becoming a law."