

1 AN ACT relating to elections.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 83A.045 is amended to read as follows:

4 (1) Except as provided in KRS 83A.047, partisan elections of city officers shall be
5 governed by the following provisions, regardless of the form of government or
6 classification of the city:

7 (a) A candidate for party nomination to city office shall file his or her nomination
8 papers with the county clerk of the county not earlier than the first Wednesday
9 after the first Monday in November of the year preceding the year in which the
10 office will appear on the ballot and not later than the ~~second~~^{last} Tuesday
11 ***following the first Monday*** in January before the day fixed by KRS Chapter
12 118 for holding a primary~~-election~~ for the office sought. Signatures for
13 nomination papers shall not be affixed on the document to be filed prior to the
14 first Wednesday after the first Monday in November of the year preceding the
15 year in which the office will appear on the ballot. All nomination papers shall
16 be filed no later than 4 p.m. local time when filed on the last day on which the
17 papers are permitted to be filed;

18 (b) An independent candidate for nomination to city office shall not participate in
19 a primary, but shall file his or her nomination papers with the county clerk of
20 the county not earlier than the first Wednesday after the first Monday in
21 November of the year preceding the year in which the office will appear on
22 the ballot and not later than the second Tuesday in August before the day fixed
23 by KRS Chapter 118 for holding a regular election for the office. Signatures
24 for nomination papers shall not be affixed on the document to be filed prior to
25 the first Wednesday after the first Monday in November of the year preceding
26 the year in which the office will appear on the ballot. All nomination papers
27 shall be filed no later than 4 p.m. local time when filed on the last day on

1 which the papers are permitted to be filed; and

2 (c) A candidate for city office who is defeated in a partisan primary~~[election]~~
3 shall be ineligible as a candidate for the same office in the regular election.
4 However, if a vacancy occurs in the party nomination for which he or she was
5 an unsuccessful candidate in the primary, his or her name may be placed on
6 the voting machines for the regular election as a candidate of that party if he
7 or she has been duly made the party nominee after the vacancy occurs, as
8 provided in KRS 118.105.

9 (2) Except as provided in KRS 83A.047, nonpartisan elections of city officers shall be
10 governed by KRS 83A.050, 83A.170, 83A.175, and the following provisions,
11 regardless of the form of government or classification of the city:

12 (a) A candidate for city office shall file his or her nomination papers with the
13 county clerk of the county not earlier than the first Wednesday after the first
14 Monday in November of the year preceding the year in which the office will
15 appear on the ballot and not later than the ~~second^{last}~~ Tuesday ***following the***
16 ***first Monday*** in January before the day fixed by KRS Chapter 118 for holding
17 a primary for nominations for the office. Signatures for nomination papers
18 shall not be affixed on the document to be filed prior to the first Wednesday
19 after the first Monday in November of the year preceding the year in which the
20 office will appear on the ballot. All nomination papers shall be filed no later
21 than 4 p.m. local time when filed on the last day on which the papers are
22 permitted to be filed;

23 (b) Any city of the home rule class may by ordinance provide that the nomination
24 and election of candidates for city office in a nonpartisan election shall be
25 conducted pursuant to the provisions of this subsection:

26 1. A city may forgo conducting a nonpartisan primary~~[election]~~ for the
27 nomination of candidates to city office, regardless of the number of

- 1 candidates running for each office, and require all candidates to file their
2 nomination papers with the county clerk of the county not earlier than
3 the first Wednesday after the first Monday in November of the year
4 preceding the year in which the office will appear on the ballot and not
5 later than the second Tuesday in August before the day fixed by KRS
6 Chapter 118 for holding a regular election for the office. Signatures for
7 nomination papers shall not be affixed on the document to be filed prior
8 to the first Wednesday after the first Monday in November of the year
9 preceding the year in which the office will appear on the ballot;
- 10 2. All nomination papers shall be filed no later than 4 p.m. local time when
11 filed on the last day on which the papers are permitted to be filed;
- 12 3. If a city does not conduct a primary pursuant to this subsection, the
13 election of candidates to city office shall be governed by the provisions
14 of this subsection, KRS 83A.175(2) to (6), and KRS Chapters 116 to
15 121;
- 16 4. In the absence of a primary pursuant to this subsection, the number of
17 candidates equal to the number of city offices to be filled who receive
18 the highest number of votes cast in the regular election for each city
19 office shall be elected;
- 20 5. Candidates shall be subject to all other applicable election laws pursuant
21 to this chapter and KRS Chapters 116 to 121;
- 22 6. If a vacancy occurs in a candidacy for city office in any city which has
23 not held a primary pursuant to this subsection after the expiration of
24 time for filing nomination papers, or if there are fewer candidates than
25 there are offices to be filled, the vacancy in candidacy shall be filled by
26 write-in voting; and
- 27 7. At the regular election, the voters shall be instructed to vote for one (1)

1 candidate, except when there is more than one (1) candidate for which
 2 voters may vote, the instruction "vote for up to candidates" shall be
 3 used on the ballot; and

4 (c) A candidate for city office who is defeated in a nonpartisan primary~~[election]~~
 5 shall be ineligible as a candidate for the same office in the regular election.

6 ➔Section 2. KRS 118.165 is amended to read as follows:

7 (1) Except as provided in KRS Chapters 116 to 121, candidates for offices to be voted
 8 for by the electors of one (1) county or of a district less than one (1) county, except
 9 members of Congress and members of the General Assembly, shall file their
 10 nomination papers with the county clerk of the county not earlier than the first
 11 Wednesday after the first Monday in November of the year preceding the year the
 12 office will appear on the ballot and not later than the second~~[last]~~ Tuesday
 13 following the first Monday in January preceding the day fixed by law for holding
 14 the primary. All nomination papers shall be filed no later than 4 p.m. local time at
 15 the place of filing when filed on the last date on which the papers may be filed.

16 (2) Candidates for offices to be voted for by the electors of more than one (1) county,
 17 including Justices of the Supreme Court, Judges of the Court of Appeals, District
 18 Judges, Circuit Judges, Commonwealth's attorneys, Governor and Lieutenant
 19 Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State
 20 Treasurer, Commissioner of Agriculture, President and Vice President,~~[and for]~~
 21 members of Congress, and members of the General Assembly, shall file their
 22 nomination papers with the Secretary of State not earlier than the first Wednesday
 23 after the first Monday in November of the year preceding the year the office will
 24 appear on the ballot and not later than the second~~[last]~~ Tuesday following the first
 25 Monday in January preceding the day fixed by law for holding the primary.
 26 Signatures for nomination papers shall not be affixed on the document to be filed
 27 prior to the first Wednesday after the first Monday in November of the year

1 preceding the year in which the office will appear on the ballot. All nomination
2 papers shall be filed no later than 4 p.m. local time at the place of filing when filed
3 on the last date on which the papers may be filed.

4 ~~(3)~~~~(2)~~ The Secretary of State or the county clerk shall examine the notification and
5 declaration form of each candidate to determine whether it is regular on its face. If
6 there is an error, the proper officer shall notify the candidate by certified mail within
7 twenty-four (24) hours of filing.

8 ~~(4)~~~~(3)~~ A judge who elected to retire as a Senior Status Special Judge in accordance
9 with KRS 21.580 shall not become a candidate or a nominee for any elected office
10 during the five (5) year term prescribed in KRS 21.580(1)(a)1., regardless of the
11 number of days served by the judge acting as a Senior Status Special Judge.

12 ➔Section 3. KRS 118A.060 is amended to read as follows:

13 (1) Except as provided in KRS 118A.100, no person's name shall appear on a ballot
14 label or absentee ballot for an office of the Court of Justice without first having
15 been nominated as provided in this section.

16 (2) Each candidate for nomination shall file a petition for nomination with the Secretary
17 of State not earlier than the first Wednesday after the first Monday in November of
18 the year preceding the year in which the office will appear on the ballot and not later
19 than the ~~second~~~~last~~ Tuesday ***following the first Monday*** in January preceding the
20 day fixed by law for holding the primary~~election~~ for the office. The petition shall
21 be sworn to before an officer authorized to administer an oath by the candidate and
22 by not less than two (2) registered voters from the district or circuit from which he
23 or she seeks nomination. Signatures for nomination papers shall not be affixed on
24 the document to be filed prior to the first Wednesday after the first Monday in
25 November of the year preceding the year in which the office will appear on the
26 ballot. The petition shall be filed no later than 4 p.m. local time at the place of filing
27 when filed on the last date on which the papers are permitted to be filed.

- 1 (3) The petition for nomination shall be in the form prescribed by the State Board of
2 Elections. The petition shall include a declaration sworn to by the candidate, that he
3 or she possesses all the constitutional and statutory requirements of the office for
4 which the candidate has filed. Titles, ranks, or spurious phrases shall not be
5 accepted on the petition and shall not be printed on the ballots as part of the
6 candidate's name; however, nicknames, initials, and contractions of given names
7 may be acceptable as the candidate's name.
- 8 (4) The Secretary of State shall examine the petition of each candidate to determine
9 whether it is regular on its face. If there is an error, the Secretary of State shall
10 notify the candidate by certified mail within twenty-four (24) hours of filing. The
11 order of names on the ballot for each district or circuit, and numbered division~~]~~
12 ~~thereof]~~ if divisions exist, shall be determined by lot at a public drawing to be held
13 in the office of the Secretary of State at 2 p.m., standard time, on the Thursday
14 following the **filing deadline for the primary as established in Sections 1, 2, and 3**
15 **of this Act**~~[last Tuesday in January preceding the primary election]~~.
- 16 (5) Not later than the date set forth in KRS 118.215(1)(a) preceding the primary~~]~~
17 ~~election]~~, and after the order of names on the ballot has been determined as required
18 in subsection (4) of this section, the Secretary of State shall:
- 19 (a) Certify to the county clerks of the respective counties entitled to participate in
20 the election of the various candidates, the name and place of residence of each
21 candidate for each office, by district or circuit, and numbered division~~]~~
22 ~~thereof]~~ if divisions exist, as specified in the petitions for nomination filed
23 with him **or her**; and
- 24 (b) Designate for the county clerks the office of the Court of Justice with which
25 the names of candidates shall be printed and the order in which they are to
26 appear on the ballot.
- 27 (6) The ballot position of a candidate shall not be changed after the ballot position has

1 been designated by the Secretary of State.

2 (7) The county clerks of each county shall cause to be printed on the ballot labels for
3 the voting machines and on the special ballots for the primary the names of the
4 candidates for offices in the Court of Justice.

5 (8) The names of the candidates shall be placed on the voting machine in a separate
6 column or columns or in a separate line or lines and identified by the words
7 "Judicial Ballot." The words "Vote for one," or "Vote for one in each division,"
8 shall be printed on the ballot in an appropriate location. The office, numbered
9 division~~[thereof]~~ if divisions exist, and the candidates~~[therefor]~~ shall be clearly
10 labeled. No party designation or emblem of any kind, nor any sign indicating any
11 candidate's political belief or party affiliation, shall be used on voting machines or
12 special ballots.

13 (9) The two (2) candidates receiving the highest number of votes for nomination for
14 justice or judge of a district or circuit, or numbered division~~[thereof]~~ if divisions
15 exist, shall be nominated. Certificates of nomination shall be issued as provided in
16 KRS 118A.190.

17 (10) If it appears after expiration of the time for filing petitions for nomination that there
18 are not more than two (2) candidates who have filed the necessary petitions for a
19 place on the ballot in the regular election, no drawing for ballot position shall be
20 held and the Secretary of State shall immediately issue and file in the Secretary's
21 office certificates of nomination, and send copies to the candidates.

22 ➔Section 4. KRS 118.215 is amended to read as follows:

23 (1) After the order of the names has been determined as provided in KRS 118.225, the
24 Secretary of State shall certify, to the county clerks of the respective counties
25 entitled to participate in the nomination or election of the respective candidates, the
26 name, place of residence, and party of each candidate or slate of candidates for each
27 office, as specified in the nomination papers or certificates and petitions of

1 nomination filed with him or her, and shall designate the device with which the
2 candidate groups, slates of candidates, or lists of candidates of each party shall be
3 printed, in the order in which they are to appear on the ballot, with precedence to be
4 given to the party that polled the highest number of votes at the preceding election
5 for presidential electors, followed by the political party which received the second
6 highest number of votes, with the order of any other political parties and
7 independents to be determined by lot. Candidates for county offices and local state
8 offices shall be listed in the following order: Commonwealth's attorney, circuit
9 clerk, property valuation administrator, county judge/executive, county attorney,
10 county clerk, sheriff, jailer, county commissioner, coroner, justice of the peace, and
11 constable. The names of candidates for President and Vice President shall be
12 certified in lieu of certifying the names of the candidates for presidential electors.

13 The names shall be certified as follows:

- 14 (a) Not later than the second Monday after the filing deadline for the primary as
15 established in Sections 1, 2, and 3 of this Act;
- 16 (b) Not later than the second Monday after the filing deadline for the regular~~general~~
17 ~~general~~ election, except as provided in paragraph (c) of this subsection; and
- 18 (c) Not later than the Monday after the Friday following the first Tuesday in
19 September preceding a regular~~general~~ election, for those years in which
20 there is an election for President and Vice President of the United States.

21 (2) Except as otherwise provided in subsection (3) of this section, all independent
22 candidates or slates of candidates whose nominating petitions are filed with the
23 county clerk or the Secretary of State shall be listed under the title and device
24 designated by them as provided in KRS 118.315, or if none is designated, under the
25 word "independent," and shall be placed on the ballot in a separate column or
26 columns or in a separate line or lines according to the office which they seek. The
27 order in which independent candidates or slates of candidates shall appear on the

1 ballot shall be determined by lot by the county clerk. If the same device is selected
2 by two (2) groups of petitioners, it shall be given to the first selecting it and the
3 county clerk shall permit the other group to select a suitable device. This section
4 shall not apply to candidates for municipal offices which come under subsection (3)
5 of this section.

6 (3) The ballots used at any election in which city officers are to be elected as provided
7 in subsection (2) of this section shall contain the names of candidates for the city
8 offices grouped according to the offices they seek, and the candidates shall be
9 immediately arranged with and designated by the title of office they seek. The order
10 in which the names of the candidates for each office are to be printed on the ballot
11 shall be determined by lot. Each group of candidates for each separate office for
12 which the candidates are to be elected shall be clearly separated from other groups
13 on the ballot and spaced to avoid confusion on the part of the voter.

14 (4) The Secretary of State shall not knowingly certify to the county clerk of any county
15 the name of any candidate or slate of candidates who has not filed the required
16 nomination papers, nor knowingly fail to certify the name of any candidate or slate
17 of candidates who has filed the required nomination papers.

18 (5) If the county clerk determines that the number of certified candidates or slates of
19 candidates cannot be placed on a ballot which can be accommodated by the voting
20 machines currently in use by the county, he or she shall so notify the State Board of
21 Elections not later than the last Tuesday in February preceding the primary or the
22 last Tuesday in August preceding the regular~~general~~ election. The State Board of
23 Elections shall meet within five (5) days of the notice, review the ballot conditions,
24 and determine whether supplemental paper ballots are necessary for the election.
25 Upon approval of the State Board of Elections, supplemental paper ballots may be
26 used for nonpartisan candidates or slates of candidates for an office or offices and
27 public questions submitted for a yes or no vote. All candidates or slates of

1 candidates for any particular office shall be placed either on the machine ballot or
2 on the paper ballot. Supplemental paper ballots may also be used to conduct the
3 voting, in the instance of a small precinct as provided in KRS 117.066.

4 (6) The ballot position of a candidate or slate of candidates shall not be changed after
5 the ballot position has been designated by the county clerk.

6 ➔Section 5. KRS 118.225 is amended to read as follows:

7 (1) For the purpose of determining the order in which the names of candidates or slates
8 of candidates to be voted for by the electors of the entire state shall be certified and
9 printed on the ballots with the designation of the respective offices, the Secretary of
10 State shall prepare lists of the counties of each congressional district of the state.

11 *The Secretary of State*~~[He]~~ shall arrange the surnames of all candidates or slates of
12 candidates for each office in alphabetical order for the First Congressional District,
13 and the names shall be certified in this order to the county clerks of all the counties
14 comprising that district. For each succeeding congressional district, taken in
15 numerical order, the name appearing first for each office in the last preceding
16 district shall be placed last, and the name appearing second in the last preceding
17 district shall be placed first, and each other name shall be moved up one (1) place.
18 The lists shall be certified accordingly.

19 (2) For all other offices for which nomination papers and petitions are filed with the
20 Secretary of State, the order of names of candidates for each office shall be
21 determined by lot at a public drawing to be held in the office of the Secretary of
22 State at 2 p.m., standard time, on the Thursday following the *filing deadline for*~~[last~~
23 ~~Tuesday in January preceding]~~ the primary *as established in Sections 1, 2, and 3 of*
24 *this Act* or the Thursday following the second Tuesday in August preceding the
25 *regular*~~[general]~~ election.

26 (3) For all offices for which nomination papers and petitions are filed in the office of
27 the county clerk, the order in which the names of candidates for each office are to

1 be printed on the ballot shall be determined by lot at a public drawing in the office
2 of the county clerk at 2 p.m., standard time, on the Thursday following the **filing**
3 **deadline for**~~[last Tuesday in January before]~~ the primary **as established in Sections**
4 **1, 2, and 3 of this Act** or the Thursday following the second Tuesday in August
5 preceding the **regular**~~[general]~~ election.

6 (4) If the number of certified candidates or slates of candidates cannot be placed on a
7 ballot which can be accommodated on voting machines currently in use in the
8 county, the county clerk shall notify the State Board of Elections, as provided in
9 KRS 118.215.

10 ➔Section 6. KRS 118.581 is amended to read as follows:

11 The State Board of Elections shall convene in Frankfort on the **third**~~[second]~~ Tuesday in
12 **December**~~[January]~~ preceding a presidential preference primary. At the meeting required
13 by this section, the board shall nominate as presidential preference primary candidates all
14 those candidates of the political parties for the office of President of the United States
15 who have qualified for matching federal campaign funds. Immediately upon completion
16 of this requirement, the board shall transmit a list of all the nominees selected to the
17 Secretary of State and shall also release the list to the news media.

18 ➔Section 7. KRS 118.591 is amended to read as follows:

19 (1) Any person seeking the endorsement by a political party for the office of President
20 of the United States, or any group organized in this state on behalf of, and with the
21 consent of, the person, may file with the Secretary of State certified petitions signed
22 by five thousand (5,000) persons who, at the time they sign, are registered and
23 qualified voters in the Commonwealth and are affiliated, by registration, with the
24 same political party as the candidate for whom petitions are filed.

25 (2) The petitions shall be filed by the petitioners with the Secretary of State no later
26 than the **second**~~[last]~~ Tuesday **following the first Monday** in January preceding a
27 presidential preference primary.

- 1 (3) The petitions shall state:
- 2 (a) The name of the candidate for nomination and the party of which the
- 3 candidate~~[he]~~ is a member; and
- 4 (b) The name and address of the chair~~[chairman]~~ of the group circulating such
- 5 petition.
- 6 (4) The Secretary of State shall determine the sufficiency of petitions filed with him or
- 7 her and shall immediately communicate his or her determination to the
- 8 chair~~[chairman]~~ of the group which has filed the petitions.
- 9 (5) In lieu of the petition requirements of subsections (1) to (4) of this section, a
- 10 candidate may qualify to appear on the presidential preference primary ballot of the
- 11 candidate's~~[his]~~ political party by filing with the Secretary of State, no later than the
- 12 second~~[last]~~ Tuesday following the first Monday in January preceding a
- 13 presidential preference primary, a notice of candidacy signed by the candidate and
- 14 either of the following:
- 15 (a) A certification by the Federal Election Commission that, by the filing
- 16 deadline, the candidate has qualified for matching federal campaign funds; or
- 17 (b) Evidence that, by the filing deadline, the candidate's name is qualified to
- 18 appear on the presidential preference primary ballot of the candidate's~~[his]~~
- 19 political party in at least twenty (20) other states.
- 20 (6) The Secretary of State shall determine the sufficiency of the documentation
- 21 provided pursuant to subsection (5) of this section and shall immediately
- 22 communicate his or her determination to the candidate or the candidate's~~[his]~~
- 23 agent.
- 24 ➔Section 8. KRS 118.601 is amended to read as follows:
- 25 (1) The Secretary of State shall contact each person who has been nominated by
- 26 petition, or who has been nominated pursuant to KRS 118.591(5) and (6), and
- 27 notify him or her in writing by certified mail, with return receipt requested, that his

1 or her name will appear as a candidate on the Kentucky presidential primary ballot
2 of his or her party.

3 (2) The order in which the names of candidates for a presidential preference primary are
4 to be printed on the ballot shall be determined by lot at a public drawing in the
5 office of the Secretary of State at 2 p.m., standard time, on the Thursday following
6 the ~~second~~ Tuesday following the first Monday in January preceding the
7 presidential preference primary.

8 (3) Not later than the date set forth in KRS 118.215(1)(a) preceding the presidential
9 preference primary, and after the order of the names has been determined as
10 provided by subsection (2) of this section, the Secretary of State shall certify to each
11 county clerk the name, place of residence, and party of each candidate, as specified
12 in the notice of candidacy forms or petitions filed with the Secretary of State~~[him]~~
13 and shall designate the device with which the candidates of each party shall be
14 printed, in the order in which they are to appear on the ballot, with precedence to be
15 given to the party that polled the highest number of votes at the preceding election
16 for presidential electors, followed by the political party which received the second
17 highest number of votes.

18 ➔Section 9. KRS 83A.165 is amended to read as follows:

19 (1) A candidate running to fill the unexpired term of any city office shall file his
20 nomination papers in accordance with the provisions of KRS 83A.045, 118.365,
21 118.375, and 83A.047.

22 (2) Vacancies in the office of mayor or city legislative body that are to be filled
23 temporarily by appointment shall be governed by the provisions of KRS 83A.040
24 and Section 152 of the Kentucky Constitution.

25 (3) Vacancies in the office of mayor or city legislative body that are to be filled by
26 partisan election shall be governed by the following provisions:

27 (a) Vacancies in candidacy shall be governed by KRS 118.105;

- 1 (b) Nominations for unexpired terms shall be governed by KRS 118.115 and
2 Section 152 of the Kentucky Constitution; and
- 3 (c) Independent candidates filing to fill a vacancy shall be governed by KRS
4 118.375.
- 5 (4) Vacancies in the office of mayor or city legislative body that are to be filled by
6 nonpartisan election shall be governed by the following provisions:
- 7 (a) If the vacancy occurs not less than one hundred fifty-five (155)~~[thirty-four~~
8 ~~(134)]~~ days before a May primary, candidates to fill the vacancy shall be
9 nominated at that primary in the manner prescribed in KRS 83A.170; and
- 10 (b) If the vacancy occurs on or after the one hundred fifty-fifth~~[thirty-fourth]~~ day
11 before a May primary or at a time after the primary, the election to fill the
12 unexpired term shall be held without a primary in the manner prescribed in
13 Section 152 of the Kentucky Constitution. Petitions of nomination for
14 candidates to fill the vacancy shall be filed at the time and place prescribed in
15 KRS 118.365; and
- 16 (c) Vacancies in candidacy in any city that has eliminated the nonpartisan primary
17 election pursuant to KRS 83A.045 shall be governed by the provisions of
18 KRS 83A.045(2)(b)6.

19 ➔Section 10. KRS 118.115 is amended to read as follows:

- 20 (1) Except as provided in subsection (2)(b) of KRS 83A.045 governing vacancies in
21 candidacy, candidates for unexpired terms to be filled at a regular election shall be
22 nominated at the primary next preceding the regular election, if the vacancy
23 occurred not less than one hundred fifty-five (155)~~[thirty-four (134)]~~ days before the
24 primary. If the vacancy occurred less than one hundred fifty-five (155)~~[thirty-four~~
25 ~~(134)]~~ days before the primary, the nomination shall be made in a manner
26 determined by the governing authority of the political party concerned. In the
27 preparation of ballots, candidates for full terms shall be grouped together, and

1 candidates for unexpired terms shall be grouped together, under appropriate
2 headings, so that the voter may easily distinguish the candidates for full terms from
3 the candidates for unexpired terms.

4 (2) A judge who elected to retire as a Senior Status Special Judge in accordance with
5 KRS 21.580 shall not become a candidate or a nominee for any elected office
6 during the five (5) year term prescribed in KRS 21.580(1)(a)1., regardless of the
7 number of days served by the judge acting as a Senior Status Special Judge.

8 ➔Section 11. KRS 118.375 is amended to read as follows:

9 (1) If a vacancy occurs in any elective office less than one hundred fifty-five
10 (155)~~thirty-four (134)~~ days before the primary or at any time after the primary, but
11 not less than three (3) months before the regular election, independent, or political
12 organization, or political group candidates may file their petitions at the time and
13 place provided in KRS 118.365, subject to the restrictions concerning party
14 registration and candidacy provided in KRS 118.315(1).

15 (2) A judge who elected to retire as a Senior Status Special Judge in accordance with
16 KRS 21.580 shall not become a candidate or a nominee for any elected office
17 during the five (5) year term prescribed in KRS 21.580(1)(a)1., regardless of the
18 number of days served by the judge acting as a Senior Status Special Judge.

19 ➔Section 12. KRS 117.055 is amended to read as follows:

20 Subject to KRS 117.0551 to 117.0555:

21 (1) Each county shall be divided into election precincts by the county board of
22 elections. Each election precinct shall be composed of contiguous and, as nearly as
23 practicable, compact areas having clearly definable boundaries and wholly
24 contained within any larger district. The county board of elections shall establish
25 precincts so that no boundary of a precinct crosses the boundary of:

- 26 (a) The Commonwealth;
- 27 (b) A county or urban-county;

- 1 (c) A congressional district;
- 2 (d) A state senatorial district;
- 3 (e) A state representative district;
- 4 (f) A justice of the peace or county commissioner's district established under
- 5 KRS Chapter 67; or
- 6 (g) An aldermanic ward established under KRS 83.440.
- 7 (2) The county board of elections shall have the authority to draw precinct lines so as to
- 8 enable more than one (1) precinct to vote at one (1) location. The county board of
- 9 elections shall review election precinct boundaries as often as necessary. Without
- 10 exception, they shall review the boundaries of all election precincts exceeding seven
- 11 hundred (700) votes cast in the last regular election prior to each primary election,
- 12 and the State Board of Elections may require a written report at least sixty (60) days
- 13 prior to the candidate filing deadline set forth in KRS 118.165~~[(4)]~~ on each election
- 14 precinct exceeding seven hundred (700) votes cast in the last regular election.
- 15 Consideration to the division of said election precincts should be based on the
- 16 anticipated growth factor within the specified boundaries; however, the county
- 17 board of elections shall not be prohibited from dividing election precincts in excess
- 18 of seven hundred (700) votes cast in the last regular election or less than seven
- 19 hundred (700) votes cast in the last regular election if they elect to do so. However,
- 20 the State Board of Elections may, in its discretion, withhold from a county the
- 21 expenses of an election under KRS 117.345 for any precinct containing more than
- 22 one thousand five hundred (1,500) registered voters, excluding those precincts
- 23 utilizing optical scan voting machines and those periods of time in which the
- 24 precinct boundaries have been frozen under KRS 117.056.
- 25 (3) No election precinct shall be created, divided, abolished, or consolidated or the
- 26 boundaries therein changed prior to any primary election to comply with the
- 27 provisions of KRS 117.055 to 117.0555 and KRS 117.0557 later than the last date

1 prescribed by election law generally for filing notification and declaration forms
2 with the county clerk or Secretary of State. No election precinct shall be created,
3 divided, abolished, or consolidated or the boundaries therein changed prior to any
4 general election to comply with the provisions of KRS 117.055 to 117.0555 and
5 KRS 117.0557 later than the last date prescribed by election law generally for filing
6 certificates or petitions of nomination with the county clerk or Secretary of State.

7 (4) The county board of elections shall designate the name or number and the
8 boundaries of the election precincts. Each precinct shall contain, as nearly as
9 practicable, an equal number of voters, based on the number of registered voters in
10 the county.

11 (5) A map and listing of the exact election precinct boundaries shall be filed by the
12 county board of elections with the State Board of Elections, and any changes in
13 boundaries thereafter made shall also be filed with the State Board of Elections. A
14 copy of this map indicating all precinct boundaries within the county shall be
15 included in the election supplies of each precinct.

16 (6) If the county board of elections fails to perform any of the duties required by KRS
17 117.055 to 117.0555 and KRS 117.0557:

18 (a) The State Board of Elections or any citizen and voter of the county may apply
19 to the Circuit Court of the county for a summary mandatory order requiring
20 the board to perform the duty. Appeals may be taken to the Court of Appeals
21 by either party; and

22 (b) The State Board of Elections shall not submit claims for payments to the
23 county under KRS 117.343 and 117.345 until the State Board of Elections
24 determines in writing that the duty has been performed.

25 (7) The county board of elections shall coordinate all precinct boundary changes with
26 the affected school board, magisterial, and municipal boundaries.