

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2019 REGULAR SESSION
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Amend printed copy of **HB 387/HCS 1**

On page 10, after line 12, insert the following:

"➔Section 4. KRS 118.125 is amended to read as follows:

- (1) Except as provided in KRS 118.155, any person who is qualified under the provisions of KRS 116.055 to vote in any primary for the candidates for nomination by the party at whose hands he or she seeks the nomination, shall have his or her name printed on the official ballot of his or her party for an office to which he is eligible in that primary, upon filing, with the Secretary of State or county clerk, as appropriate, at the proper time, a notification and declaration.
- (2) The notification and declaration shall be in the form prescribed by the State Board of Elections. It shall be signed by the candidate and by not less than two (2) registered voters of the same party from the district or jurisdiction from which the candidate seeks nomination. Signatures for nomination papers shall not be affixed on the document to be filed prior to the first Wednesday after the first Monday in November of the year preceding the year in which the office will appear on the ballot.
 - (a) The notification and declaration for a candidate for an office other than Governor or Lieutenant Governor shall include the following oath:

"For the purpose of having my name placed on the official primary election ballot as a candidate for nomination by the ----- Party, I, ----- (name in full as

Amendment No. _____

Rep. Rep. Mary Lou Marzian

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: Rowell, Karen

Adopted: _____

Date: _____

Rejected: _____

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desired on the ballot as provided in KRS 118.129), do solemnly swear that my residence address is ----- (street, route, highway, city if applicable, county, state, and zip code), that my mailing address, if different, is ----- (post office address), and that I am a registered ----- (party) voter in ----- precinct; that I believe in the principles of the ----- Party, and intend to support its principles and policies; that I meet all the statutory and constitutional qualifications for the office which I am seeking; that if nominated as a candidate of such party at the ensuing election I will accept the nomination and not withdraw for reasons other than those stated in KRS 118.105(3); that I will not knowingly violate any election law or any law relating to corrupt and fraudulent practice in campaigns or elections in this state, and if finally elected I will qualify for the office."

The declaration shall be subscribed and sworn to before an officer authorized to administer an oath by the candidate and by the two (2) voters making the declaration and signing the candidate's petition for office.

- (b) The notification and declaration for a slate of candidates for Governor and Lieutenant Governor shall include the following oath:

"For the purpose of having our names placed on the official primary election ballot as a slate of candidates for Governor and Lieutenant Governor for nomination by the ----- Party, I, -----, (name of candidate for Governor in full as desired on the ballot as provided in KRS 118.129), do solemnly swear that my residence address is ----- (street, route, highway, city if applicable, county, state, and zip code), that my mailing address, if different, is ----- (post office address), and that I am a registered ----- (party) voter in ----- precinct; and I, -----, (name of candidate for Lieutenant Governor in full as desired on the ballot as provided in KRS 118.129), do solemnly swear that my residence address is ----- (street, route, highway, city if applicable,

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county, state, and zip code), that my mailing address, if different, is ----- (post office address), and that I am a registered ----- (party) voter in ----- precinct; that we believe in the principles of the ----- Party, and intend to support its principles and policies; that we meet all the statutory and constitutional qualifications for the offices which we are seeking; that we will accept the nomination and not withdraw for reasons other than those stated in KRS 118.105(3); that we will not knowingly violate any election law or any law relating to corrupt or fraudulent practice in campaigns or elections in this state, and if finally elected we will qualify for our offices."

The declaration shall be subscribed and sworn to before an officer authorized to administer an oath by the candidate and by the two (2) voters making the declaration and signing the petition for office.

- (3) When the notice and declaration has been filed with the Secretary of State or county clerk, as appropriate, and certified according to KRS 118.165, the Secretary of State or county clerk, as appropriate, shall have the candidate's name printed on the ballot according to the provisions of this chapter, except as provided in KRS 118.185.
- (4) Titles, ranks, or spurious phrases shall not be accepted on the filing papers and shall not be printed on the ballots as part of the candidate's name; however, nicknames, initials, and contractions of given names may be acceptable as the candidate's name.
- (5) **At the same time a candidate for Governor files his or her notification and declaration under this section, he or she shall:**
 - (a) **File with the Registry of Election Finance a copy of the federal income tax return described in 26 U.S.C. sec. 6103(b)(1) that he or she has filed with the Internal Revenue Service for the three (3) most recent taxable years; and**
 - (b) **Provide written consent to the Registry of Election Finance, in a form promulgated by the registry by administrative regulation under KRS Chapter 13A, for the public**

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disclosure of the returns described in paragraph (a) of this subsection.

- (6) Federal income tax returns filed with the Registry of Election Finance under this section by the candidate for Governor shall be made publicly available on the Web site of the Registry of Election Finance no later than seven (7) days after the candidate's federal income tax returns have been filed under subsection (5) of this section, subject to redaction by the registry under subsection (7) of this section.*
- (7) Prior to making public any federal income tax return filed under this section, the Registry of Election Finance shall redact information that the registry deems appropriate to protect the candidate's privacy.*
- (8) Notwithstanding any provision of KRS 118.212 to the contrary, if a candidate for Governor does not file his or her income tax returns with the Registry of Election Finance as required by this section, that candidate's name shall not be certified by the Secretary of State or printed upon the official ballot for a primary or regular election.*

➔Section 5. KRS 118.367 is amended to read as follows:

- (1) An independent, or political organization, or political group candidate required to file nomination papers pursuant to KRS 118.365(5) shall be required to file a statement-of-candidacy form with the same office at which nomination papers are filed. Candidates for federal office and candidates for mayor or legislative body in cities of the home rule class participating in partisan elections shall not be required to file a statement-of-candidacy form. The statement-of-candidacy form shall be filed not earlier than the first Wednesday after the first Monday in November of the year preceding the year in which the office will appear on the ballot and not later than April 1 preceding the day fixed by law for holding of regular elections for the offices sought. If the office in which the statement-of-candidacy form is to be filed is closed on April 1, the form may be filed on the next business day. The statement-of-candidacy form shall be filed no later than 4 p.m. local time when filed on the

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last day on which papers are permitted to be filed. No person shall file a statement-of-candidacy form for more than one (1) public office during an election cycle.

- (2) The statement-of-candidacy form shall be prescribed by the State Board of Elections. The statement-of-candidacy form shall be signed by the candidate upon filing. No charge shall be assessed for the filing of a statement-of-candidacy form. The Secretary of State and county clerks shall examine the statement-of-candidacy form of each candidate who files the form to determine if there is an error. If an error has occurred, the candidate shall be notified by certified mail within twenty-four (24) hours.
- (3) *At the same time an independent, or political organization, or political group candidate files a statement-of-candidacy form for Governor as required by subsection (1) of this section, he or she shall:*
 - (a) *File with the Registry of Election Finance a copy of the federal income tax return described in 26 U.S.C. sec. 6103(b)(1) that he or she has filed with the Internal Revenue Service for the three (3) most recent taxable years; and*
 - (b) *Provide written consent to the Registry of Election Finance, in a form promulgated by the registry by administrative regulation under KRS Chapter 13A, for the public disclosure of the returns described in paragraph (a) of this subsection.*
- (4) *Federal income tax returns filed with the Registry of Election Finance under this section by a candidate for Governor shall be made publicly available on the Web site of the Registry of Election Finance no later than seven (7) days after the candidate's federal income tax returns have been filed under subsection (3) of this section, subject to redaction by the registry under subsection (5) of this section.*
- (5) *Prior to making public any federal income tax return filed under this section, the Registry of Election Finance shall redact information that the registry deems appropriate to protect the candidate's privacy.*

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(6) If an independent, political organization, or political group candidate for Governor does not file his or her income tax returns with the Registry of Election Finance as required by this section, that candidate's name shall not be printed upon the official ballot for Governor."