

1 AN ACT relating to political activities.

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

3 ➔Section 1. KRS 18A.140 is amended to read as follows:

4 (1) No person shall be appointed or promoted to, or demoted or dismissed from, any  
5 position in the classified service, or in any way favored or discriminated against  
6 with respect to employment in the classified services because of his ***or her*** political  
7 or religious opinions, affiliations, ethnic origin, sex, race or disability. No person  
8 over the age of forty (40) shall be discriminated against because of age.

9 (2) No person shall use or promise to use, directly or indirectly, any official authority or  
10 influence, whether possessed or anticipated, to secure or attempt to secure for any  
11 person an appointment or advantage in appointment to a position in the classified  
12 service, or an increase in pay or other advantage in employment in any such  
13 position, for the purpose of influencing the vote or political action of any person.

14 (3) No employee in the classified service or member of the board or its executive  
15 director or secretary shall, directly or indirectly:~~;~~

16 ***(a)*** Pay or promise to pay any assessment for political purposes;~~;~~~~or~~

17 ***(b)*** Solicit or take any part in soliciting for any political party;~~;~~ or

18 ***(c)*** Solicit or take any part in soliciting any political assessment, subscription,  
19 contribution, or service, ***except for his or her own candidacy for an elected***  
20 ***office, provided that no solicitation occurs during the business hours of the***  
21 ***employee, member, executive director, or secretary, or at any event which he***  
22 ***or she attends in his or her official capacity.***

23 ***(4)*** No person shall solicit any political assessment, subscription, contribution, or  
24 service of any employee in the classified service.

25 ~~***(5)***~~~~***(4)***~~ No employee in the classified service or member of the board or its executive  
26 director shall:

27 ***(a)*** Be a member of any national, state, or local committee of a political party;~~;~~

1           ~~or~~

2           **(b)** ~~*Be*~~ an officer or member of a committee of a partisan political club;~~;~~ ~~or~~ ~~a~~  
3           ~~candidate for nomination or election to any paid partisan public office, or~~  
4           ~~shall~~

5           **(c)** Take part in the management or affairs of any political party, or in any  
6           political campaign ***other than his or her own.*** ~~;~~ ~~except to~~

7           ***An employee in the classified service or a member of the board or its executive***  
8           ***director or secretary may*** exercise his ***or her*** right as a citizen privately to express  
9           his ***or her*** opinion, ***including through the use of social media,*** and to cast his ***or***  
10          ***her*** vote.

11          **(6)** Officers or employees of the classified service may be candidates for and occupy an  
12          elected office if: ~~the election is on a nonpartisan basis,~~

13          **(a)** The officers or employees have complied with the requirements of KRS  
14          61.080; ~~and~~

15          **(b)** The duties of the elective office do not interfere with, or create any conflicts  
16          of interest with, the state duties of the officers or employees in the classified  
17          service; **and**

18          **(c)** ***The officers or employees are not prohibited by a federal statutory or***  
19          ***regulatory requirement from seeking or occupying an elected office.***

20          **(7)** An ***officer or*** employee shall give notice to his or her appointing authority of his or  
21          her intent to run for elective office upon filing to run for the office.

22          **(8)** ***An officer or employee of the classified service who is elected to a federal or state***  
23          ***public office that requires resignation from his or her employment in the***  
24          ***classified service shall be considered to have resigned on the date of actual***  
25          ***resignation or on the date the elected officer or employee takes the oath of office,***  
26          ***whichever occurs sooner.***

27          ➔Section 2. KRS 156.838 is amended to read as follows:

- 1 (1) No certified or equivalent employee shall be appointed or promoted to, or demoted  
 2 or dismissed from, any position or in any way favored or discriminated against with  
 3 respect to employment because of political or religious opinions or affiliations,  
 4 ethnic origin, sex, **race**, disability, or age.
- 5 (2) No person shall use or promise to use, directly or indirectly, any official authority  
 6 ~~or to~~ influence, whether possessed or anticipated, to secure or attempt to secure for  
 7 any person an appointment or advantage in appointment to a position requiring  
 8 certification or equivalent, or an increase in pay or other advantage in employment  
 9 in any such position, for the purpose of influencing the vote or political action of a  
 10 person.
- 11 (3) No certified or equivalent employee nor the commissioner shall directly or  
 12 indirectly ~~;~~
- 13 **(a)** Pay or promise to pay any assessment for political purposes; ~~;~~ ~~or~~
- 14 **(b)** Solicit or take any part in soliciting for any political party; ~~;~~ or
- 15 **(c)** Solicit or take any part in soliciting any political assessment, subscription,  
 16 contribution, or service, **except for his or her own candidacy for an elected**  
 17 **office, provided that no solicitation is directed to any student or occurs**  
 18 **during the school day or during any school event.**
- 19 **(4)** No person shall solicit any political assessment, subscription, contribution, or  
 20 service of any certified or equivalent employee.
- 21 ~~(5)~~ ~~(4)~~ No certified or equivalent employee shall:
- 22 **(a)** Be a member of any national, state, or local committee of a political party; ~~;~~  
 23 ~~or~~
- 24 **(b)** **Be** an officer or member of a committee of a partisan political club; ~~;~~ or ~~a~~  
 25 ~~candidate for nomination or election to any paid public office, or shall~~
- 26 **(c)** Take part in the management or affairs of any political party, or in any  
 27 political campaign **other than his or her own.** ~~;~~ ~~except to~~

1 Certified or equivalent employees may exercise the right as a citizen privately to  
2 express an opinion, including through the use of social media, and to cast a vote.

3 **(6)** Certified or equivalent employees may be candidates for and occupy an elected  
4 office if:

5 (a) The certified or equivalent employee has complied with the requirements of  
6 KRS 61.080;

7 (b) The duties of the elective office do not interfere with, or create any conflicts  
8 of interest with, the state duties of the certified or equivalent employee; and

9 (c) The certified or equivalent employee is not prohibited by a federal statutory  
10 or regulatory requirement from seeking or occupying an elected office.

11 (7) Certified or equivalent employees may be candidates for and occupy a ~~town or~~  
12 school district office if the office is one for which no compensation, other than a per  
13 diem payment, is provided and the election is on a nonpartisan basis.

14 (8) A certified or equivalent employee shall give notice to his or her appointing or  
15 hiring authority of the employee's intent to run for elective office upon filing to  
16 run for the office.

17 (9) A certified or equivalent employee who is elected to a federal or state public office  
18 that requires resignation from his or her employment shall be considered to have  
19 resigned on the date of actual resignation or on the date the elected certified or  
20 equivalent employee takes the oath of office, whichever occurs sooner.

21 ➔Section 3. This Act takes effect November 6, 2019.