

1 AN ACT relating to voter registration.

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

3 ➔Section 1. KRS 116.045 is amended to read as follows:

4 (1) Any person may register as a voter:

5 (a) During the period registration is open if he or she possesses, or will possess on  
6 the day of the next regular election, the qualifications set forth in KRS  
7 116.025; or

8 (b) *By preregistration as provided in subsection (9) of this section.*

9 (2) The county clerk shall cause all registration to be closed, *except for preregistration*  
10 *under subsection (9) of this section,* the fourth Tuesday preceding through the first  
11 Monday following any primary or *regular*~~general~~ election, and the twenty-eight  
12 (28) days prior to and seven (7) days following any special election. If the last day  
13 of registration falls on a state or federal holiday, the period runs until the end of the  
14 next day which is not a Saturday or Sunday *or*~~not~~ a state or federal holiday.  
15 During the period that registration is closed, the county clerk may accept and  
16 process registrations. Any voter who registers during the period that registration is  
17 closed, except for any registered voter who transfers his or her registration pursuant  
18 to KRS 116.085(2) or (3), shall not be permitted to vote in the upcoming election.

19 (3) In all counties, the county clerk shall receive registrations, *including*  
20 *preregistrations,* transfers, or changes of party affiliation, at branch offices at any  
21 place in the county during those periods that the registration books are open except  
22 for those transfers pursuant to KRS 116.085(2) or 116.085(3). However, notice in  
23 the manner provided by KRS Chapter 424 shall be given at least three (3), but not  
24 more than fourteen (14), days in advance of the time and place of any branch  
25 registration, and ten (10) days' written notice shall be given to the county executive  
26 committee of each major political party in the county in which the branch  
27 registration is to be held.

- 1 (4) Any person may register to vote or may change his or her party affiliation in any of  
2 the following ways:
- 3 (a) In person;
- 4 (b) By mail;
- 5 (c) By means of the federal post card application, if the person is a resident of  
6 Kentucky and a member of the Armed Forces, or a dependent of members of  
7 the Armed Forces, or overseas citizen;
- 8 (d) By mail-in application form prescribed by the Federal Election Commission  
9 pursuant to the National Voter Registration Act of 1993; or
- 10 (e) By other methods of registration, or reregistration, approved by the State  
11 Board of Elections, including the use of voluntary interested groups and  
12 political parties, under the proper supervision and directions of the county  
13 clerk, which may include door to door canvassing.
- 14 (5) Upon receipt of the form prescribed by the State Board of Elections or the Federal  
15 Election Commission pursuant to the National Voter Registration Act of 1993,  
16 properly filled out and signed by the applicant, the county clerk shall register the  
17 applicant.
- 18 (6) Any individual or group shall have access to a reasonable number of voter  
19 registration forms, including preregistration forms, and the mail-in application  
20 form prescribed by the Federal Election Commission pursuant to the National Voter  
21 Registration Act of 1993 in the county clerk's office. The individual or group shall  
22 act under the proper supervision and directions of the county clerk and shall return  
23 these completed forms to the county clerk for official registration by the county  
24 clerk.
- 25 (7) No later than December 31, 1994, the Transportation Cabinet shall equip all driver's  
26 license agencies to comply with the provisions of the National Voter Registration  
27 Act of 1993. The Secretary of State shall provide assistance and interpretation to the

1 Transportation Cabinet in determining the requirements of the National Voter  
2 Registration Act of 1993.

3 (8) The county clerk shall enter the specific party identification of the voter with a  
4 political party, political organization, or political group as defined in KRS 118.015,  
5 or independent status, as indicated by the voter on the voter registration form, into  
6 the statewide voter registration system. The State Board of Elections shall  
7 promulgate **administrative** regulations under KRS Chapter 13A to provide for:

8 **(a)** Tracking of the registration of voters identifying with political organizations  
9 and political groups as defined in KRS 118.015, and voters of independent  
10 status; **and**

11 **(b)** **The process for preregistration with a subsequent registration confirmation**  
12 **noting eligibility to vote as provided in subsection (9) of this section.**

13 **(9) A person who possesses the qualifications set forth in KRS 116.025 may**  
14 **preregister to vote on or after that person's sixteenth birthday and may vote in**  
15 **any election or primary occurring on or after that person's eighteenth birthday or**  
16 **as provided in Section 3 of this Act.**

17 ➔Section 2. KRS 116.046 is amended to read as follows:

18 (1) The county clerk shall provide voter registration forms **and preregistration forms,**  
19 **not less than once during each school year,** to each principal or assistant principal  
20 of every public high school, each area vocational school, and upon request, private  
21 schools.

22 **(2) Each school**~~[, who]~~ shall designate a person~~[in each school]~~ who shall be  
23 responsible for informing students and school personnel, **not less than once during**  
24 **each school year,** of the availability of the registration **and preregistration** forms  
25 and assist them in **proper registration or preregistration**~~[properly registering]~~. The  
26 completed forms shall be returned to the county clerk, for official registration **or**  
27 **preregistration** by the county clerk.

1 ~~(3)~~~~(2)~~ Any person designated to assist in registration **or preregistration** in subsection  
2 (1) of this section shall fulfill this responsibility in an impartial and fair manner and  
3 shall not recruit a registrant **or preregistrant** for any particular party.

4 ~~(4)~~~~(3)~~ The State Board of Education shall implement programs of public education,  
5 **not less than once during each school year,** regarding elections, voting  
6 procedures, and election fraud, which shall include an audio-visual presentation for  
7 high school **sophomores,** juniors, and seniors. The State Board of Education, after  
8 consultation with the State Board of Elections, shall update the public education  
9 programs required by this section as relevant statutory changes occur, as different  
10 types of voting machines are used, or as more effective methods of presentation  
11 shall be developed.

12 **(5) Each school district shall submit an annual report to the Legislative Research**  
13 **Commission documenting the dissemination and implementation of the**  
14 **information required by this section, which shall include but not be limited to the**  
15 **total number of students that have registered and preregistered to vote in each**  
16 **school, and a plan for encouraging students to register and preregister to vote.**

17 ➔Section 3. KRS 116.055 is amended to read as follows:

- 18 (1) Before a person shall be qualified to vote in a primary, he or she:
- 19 (a) Shall possess all the qualifications required of voters in a regular election;
  - 20 (b) Shall have been a registered member of the party in whose primary he or she  
21 seeks to vote on December 31 immediately preceding the primary; and
  - 22 (c) Shall have remained continuously registered as a member of that party in  
23 whose primary he or she seeks to vote between December 31 immediately  
24 preceding the primary and the date set for the primary.
- 25 (2) In the case of a new registration made after December 31 immediately preceding the  
26 primary, a voter shall have registered and remained continuously registered as a  
27 member of the party in whose primary he or she seeks to vote from the date of

1 registration until the date set for the primary.

2 (3) Any voter who withdraws his or her registration after December 31 immediately  
3 preceding the primary, and reregisters as a voter with a different party affiliation,  
4 during those periods that the registration books are open immediately preceding the  
5 primary, shall not be eligible to vote in the upcoming primary.

6 (4) No person shall be allowed to vote ***in a primary*** for any party candidates or slates of  
7 candidates other than that of the party of which he or she is a registered member.

8 (5) The qualifications shall be determined as of the date of the primary, without regard  
9 to the qualifications or disqualifications as they may exist at the succeeding regular  
10 election, except that minors seventeen (17) years of age who will become eighteen  
11 (18) years of age on or before the day of the regular election shall be entitled to vote  
12 in the primary if otherwise qualified. However, any registered voter, whether  
13 registered as a member of a party, political organization, political group, or as an  
14 independent, shall be qualified to vote in a primary for candidates listed in all  
15 nonpartisan races.

16 ➔Section 4. KRS 116.0455 is amended to read as follows:

17 (1)~~[(a)]~~Each motor vehicle driver's license application, including any renewal  
18 application, submitted to the appropriate motor vehicle authority shall serve as ***a***  
19 ***simultaneous***~~[an]~~ application for voter registration, ***preregistration, or as an***  
20 ***update to any previous voter registration,*** unless the applicant fails to sign the voter  
21 registration application.

22 ~~[(b) An application for voter registration submitted under paragraph (a) of this~~  
23 ~~subsection shall be considered as updating any previous voter registration by~~  
24 ~~the applicant.]~~

25 (2) No information relating to the failure of an applicant for a motor vehicle driver's  
26 license to sign a voter registration ***or preregistration*** application may be used for  
27 any purpose other than voter registration.

- 1 (3) (a) The Transportation Cabinet shall include a voter registration **and**  
2 **preregistration** application form as part of an application for a motor vehicle  
3 driver's license.
- 4 (b) The voter registration **and preregistration** application portion of an  
5 application for a motor vehicle driver's license shall comply with the  
6 requirements of Section 5 of **Pub. L. No.**~~[Public Law]~~ 103-31, the National  
7 Voter Registration Act of 1993.
- 8 (4) Any change of address form submitted for purposes of a motor vehicle driver's  
9 license shall serve as notification of change of address for voter registration **or**  
10 **preregistration** for the registrant involved unless the registrant states on the form  
11 that the change of address is not for voter registration **or preregistration** purposes.
- 12 (5) (a) A completed voter registration **or preregistration** portion of an application for  
13 a motor vehicle driver's license accepted by a circuit clerk shall be transmitted  
14 to the county clerk of the county of the applicant's voting residence not later  
15 than ten (10) days after the date of acceptance.
- 16 (b) If a **motor vehicle driver's license application includes a completed** voter  
17 registration **or preregistration** application **and** is accepted within five (5) days  
18 before the last day for registration to vote in an election, the application shall  
19 be transmitted to the county clerk of the county of the applicant's voting  
20 residence not later than five (5) days after the date of acceptance.
- 21 (6) The circuit clerk shall provide to the county clerk **all**~~[a]~~ declination  
22 **notifications**~~[statement]~~ signed by an applicant if the applicant has declined to **have**  
23 **the motor vehicle driver's license application serve as a simultaneous application**  
24 **for voter registration, preregistration, or to have an existing voter registration**  
25 **record updated**~~[register to vote]~~.