

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 117.995 is amended to read as follows:

- 4 (1) Any person appointed to serve as an election officer but who shall knowingly and
5 willfully fail to serve and who is not excused by the county board of elections for
6 the reasons specified in this chapter shall be guilty of a violation and shall be
7 ineligible to serve as an election officer for a period of five (5) years.
- 8 (2) Any county clerk or member of the county board of elections who knowingly and
9 willfully violates any of the provisions of this chapter, including furnishing
10 applications for absentee ballots to persons other than those specified by the
11 provisions of this chapter and failure to type the name of the voter on the
12 application form as required by the provisions of this chapter, shall be guilty of a
13 Class D felony.
- 14 (3) Any officer who willfully fails to prepare or furnish ballot labels or absentee ballots
15 or fails to allow a qualified voter to cast his or her vote on the machine as required
16 of the voter by this chapter shall be guilty of a Class A misdemeanor.
- 17 (4) Any election officer who knowingly and willfully violates any of the provisions of
18 this chapter, including failure to enforce the prohibition against electioneering
19 established by KRS 117.235, shall be guilty of a Class A misdemeanor for the first
20 offense and a Class D felony for each subsequent offense.
- 21 (5) Any person who signs a name other than his or her own on an application for an
22 absentee ballot or on the verification form for the ballot or on an emergency
23 absentee ballot affidavit, or any person who votes an absentee ballot other than the
24 one issued in his or her name, or any person who applies for the ballot for the use of
25 anyone other than himself or herself or the person designated by the provisions of
26 this chapter, or any person who makes a false statement on an application for an
27 absentee ballot or on an emergency absentee ballot affidavit shall be guilty of a

1 Class D felony.

2 (6) Any person who violates any provision of KRS 117.235 or 117.236 related to
3 prohibited activities during absentee voting or on election day, after he or she has
4 been duly notified of the provisions by any precinct election officer, county clerk,
5 deputy county clerk, or other law enforcement official, shall, for each offense, be
6 guilty of a Class A misdemeanor.

7 (7) Any person who knowingly and willfully prepares or assists in the preparation of an
8 inaccurate or incomplete voter assistance form or fails to complete a voter
9 assistance form when required shall be guilty of a Class A misdemeanor for the first
10 offense and a Class D felony for each subsequent offense; however, if a voter has
11 been permanently certified as requiring voting assistance, there shall be no offense
12 for the failure of the voter to complete the form.

13 (8) The members of a county board of elections who fail~~that fails~~ to provide the
14 training to precinct election officers required by KRS 117.187(2) shall be subject to
15 removal by the State Board of Elections.

16 (9) Any local or state election official, including the Secretary of State, employees of
17 the Secretary, and members of the State Board of Elections and their staff, who
18 knowingly and willfully uses the voter registration roster in violation of KRS
19 117.025(3)(a) shall, for each offense, be guilty of a Class A misdemeanor.