

1 AN ACT relating to absentee voter assistance.

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

3 ➔Section 1. KRS 117.0863 is amended to read as follows:

4 (1) Except for those voters who have been certified as requiring assistance in voting on
5 a permanent or annual basis, any person voting by means of a mail-in absentee
6 ballot or ***in-person absentee ballot***~~[on the voting machine]~~ in the county clerk's
7 office or other place designated by the county board of elections[,] and approved by
8 the State Board of Elections[,] as provided in this chapter, who receives assistance
9 in voting shall be required to complete the voter assistance form required by KRS
10 117.255.

11 (2) Any person who assists another person in ***applying for a mail-in absentee ballot or***
12 voting by use of ~~a~~[an] mail-in absentee ballot or ***in-person absentee ballot***~~[on a~~
13 ~~voting machine]~~ in the county clerk's office or other place designated by the county
14 board of elections[,] and approved by the State Board of Elections, shall complete
15 the voter assistance form required by KRS 117.255. ***The person assisting the voter***
16 ***shall be:***

17 ***(a) At least eighteen (18) years of age and not have been declared mentally***
18 ***disabled by a court of competent jurisdiction; and***

19 ***(b) 1. An election official; or***

20 ***2. The spouse, parent, or child of the voter, or if none or unavailable;***

21 ***3. The grandparent or grandchild of the voter, or if none or unavailable;***

22 ***4. The brother, sister, niece, or nephew of the voter, of if none or***
23 ***unavailable;***

24 ***5. An unrelated person who:***

25 ***a. Has been specifically designated by the voter to assist the voter in***
26 ***the absentee voting process in a notarized document submitted***
27 ***with the completed voter assistance form; and***

- 1 **b. i. Is not an individual, employee, or representative of an**
- 2 **institution who is a medical provider of the voter; or**
- 3 **ii. Is not an individual, employee, or representative of an**
- 4 **institution who has been entrusted with or who has the**
- 5 **responsibility for the care of the voter either voluntarily or**
- 6 **by contract, employment, or agreement.**

- 7 (3) The detachable flap on all mail-in absentee ballot envelopes shall have printed upon
- 8 it the voter assistance form required by KRS 117.255, as well as a notice of the
- 9 penalty for failure to complete the form **and of the penalty under KRS 117.0865.**
- 10 (4) The State Board of Elections shall promulgate by administrative regulations under
- 11 KRS Chapter 13A a voter assistance form which shall be in a form acceptable to the
- 12 Attorney General.