

1 AN ACT relating to elections and declaring an emergency.

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

3 ➔Section 1. KRS 119.205 is amended to read as follows:

- 4 (1) Any person who makes or offers to make an expenditure to any person, either to
5 vote or withhold his vote, or to vote for or against any candidate or public question
6 at an election shall be guilty of a Class D felony.
- 7 (2) Any person who solicits, accepts, or receives any such expenditure as payment or
8 consideration for his vote, or the withholding of his vote, or to vote for or against
9 any candidate or public question at an election shall be guilty of a Class D felony.
- 10 (3) Any person who makes or offers to make an expenditure to any person to sign a
11 petition to have a public question placed on the ballot, or any person who solicits,
12 accepts, or receives any such expenditure as payment or consideration to sign a
13 petition to have a public question placed on the ballot, shall be guilty of a Class B
14 misdemeanor.
- 15 (4) For purposes of this section, "expenditure" means any of the following when
16 intended as payment or consideration for voting or withholding a vote, voting for or
17 against any candidate or public question, or signing a petition to have a public
18 question placed on the ballot:
- 19 (a) A payment, distribution, loan, advance, deposit, or gift of money or anything
20 of value; or
- 21 (b) A contract, promise, or agreement, express or implied, whether or not legally
22 enforceable, to make a payment, distribution, loan, advance, deposit, or gift of
23 money or anything of value.
- 24 "Expenditure," as used in this section, shall not include the distribution of materials
25 bearing the name, likeness, or other identification of a candidate, political party,
26 committee, or organization, or position on a public question and not intended as
27 payment or consideration for voting or withholding a vote, voting for or against any

1 candidate or public question, or signing a petition to have a public question placed
2 on the ballot.

3 (5) Any ~~candidate or~~ committee **as defined in KRS 121.015, other than a candidate's**
4 **campaign committee**, or any person on **a candidate's**^[his] behalf, who pays any
5 person, including campaign workers, for **the purpose of** transporting voters to the
6 polls on the day of **any primary, regular election, or special**~~the~~ election, shall
7 make all payments by check. All payments, regardless of amount, shall be reported
8 to the Registry of Election Finance in the manner that the Registry shall provide by
9 administrative regulation. **"Pays" as used in this subsection shall not include**
10 **reimbursement of expenses actually incurred.** Any person who knowingly violates
11 any requirement of this subsection shall be guilty of a Class B misdemeanor.

12 (6) **No candidate or candidate's campaign committee shall pay any person, including**
13 **campaign workers, for the purpose of transporting voters to the polls on the day**
14 **of any primary, regular election, or special election. "Pay" as used in this**
15 **subsection shall not include reimbursement of expenses actually incurred. Any**
16 **person who knowingly violates any requirement of this subsection shall be guilty**
17 **of a Class B misdemeanor.**

18 (Z) In addition to the above provisions, a person may be convicted of a violation of this
19 section pursuant to KRS 502.020.

20 ➔Section 2. To protect the integrity of the election process in this
21 Commonwealth, including the primary scheduled for May 17, 2022, an emergency is
22 declared to exist, and this Act takes effect upon its passage and approval by the Governor
23 or upon its otherwise becoming a law.