

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 116.013 is amended to read as follows:

4 *As used in this chapter, unless context otherwise requires:*

- 5 *(1) "Absentee ballot" means any ballot used to cast a vote during an election at a*  
6 *time other than the day of an election, which may include a mail-in absentee*  
7 *ballot, in-person absentee ballot, a federal provisional absentee ballot, and a*  
8 *multilingual absentee ballot;*
- 9 *(2) "Ballot" or "official ballot" means the official presentation of offices and*  
10 *candidates to be voted for, including write-in candidates, and all public questions*  
11 *submitted for determination, and shall include a voting machine ballot, a paper*  
12 *ballot, an absentee ballot, a federal provisional ballot, a federal provisional*  
13 *absentee ballot, a multilingual ballot, a multilingual absentee ballot, or a*  
14 *supplemental paper ballot which has been authorized for the use of voters in any*  
15 *primary, regular election, or special election by the Secretary of State or the*  
16 *county clerk;*
- 17 *(3) "Multilingual ballot" or "multilingual absentee ballot" means a ballot that is*  
18 *fully translated into a language other than English, or both English and a*  
19 *language other than English, for each language in the state that has at least two*  
20 *thousand (2,000) citizens who are seventeen (17) years or older who speak*  
21 *English less than very well, as determined by the United States Bureau of the*  
22 *Census American Community Survey or comparable Census data;*
- 23 *(4) "Election" or "elections" means any primary, regular election, or special*  
24 *election;*
- 25 *(5) "Multilingual voter registration form" means a voter registration form that is*  
26 *fully translated into a language other than English, or both English and a*  
27 *language other than English, for each language in the state that has at least two*

1        thousand (2,000) citizens who are seventeen (17) years or older who speak  
 2        English less than very well, as determined by the United States Bureau of the  
 3        Census American Community Survey or comparable Census data; and  
 4        (6) "Voter" means any name contained in any voter registration list

5        ~~Unless the context otherwise requires, the word "voter" means any name contained in any~~  
 6        ~~registration list~~.

7        ➔Section 2. KRS 116.045 is amended to read as follows:

- 8        (1) Any person may register as a voter during the period registration is open if he or she  
 9        possesses, or will possess on the day of the next regular election, the qualifications  
 10       set forth in KRS 116.025.
- 11       (2) The county clerk shall cause all registration to be closed the fourth Tuesday  
 12       preceding through the first Monday following any primary or general election, and  
 13       the twenty-eight (28) days prior to and seven (7) days following any special  
 14       election. If the last day of registration falls on a state or federal holiday, the period  
 15       runs until the end of the next day which is not a Saturday or Sunday nor a state or  
 16       federal holiday. During the period that registration is closed, the county clerk may  
 17       accept and process registrations. Any voter who registers during the period that  
 18       registration is closed, except for any registered voter who transfers his or her  
 19       registration pursuant to KRS 116.085(2) or (3), shall not be permitted to vote in the  
 20       upcoming election.
- 21       (3) In all counties, the county clerk shall receive registrations, transfers, or changes of  
 22       party affiliation at branch offices at any place in the county during those periods that  
 23       the registration books are open except for those transfers pursuant to KRS  
 24       116.085(2) or 116.085(3). However, notice in the manner provided by KRS Chapter  
 25       424 shall be given at least three (3), but not more than fourteen (14), days in  
 26       advance of the time and place of any branch registration, and ten (10) days' written  
 27       notice shall be given to the county executive committee of each major political

- 1 party in the county in which the branch registration is to be held.
- 2 (4) Any person may register to vote or may change his or her party affiliation in any of  
3 the following ways:
- 4 (a) In person;
- 5 (b) By mail;
- 6 (c) By means of the federal post card application, if the person is a resident of  
7 Kentucky and a member of the Armed Forces, or a dependent of members of  
8 the Armed Forces, or overseas citizen;
- 9 (d) By mail-in application form prescribed by the Election Assistance  
10 Commission pursuant to the National Voter Registration Act of 1993; or
- 11 (e) By other methods of registration, or reregistration, approved by the State  
12 Board of Elections, including the use of voluntary interested groups and  
13 political parties, under the proper supervision and directions of the county  
14 clerk, which may include door to door canvassing.
- 15 (5) Upon receipt of the form prescribed by the State Board of Elections or the Election  
16 Assistance Commission pursuant to the National Voter Registration Act of 1993,  
17 properly filled out and signed by the applicant, the county clerk shall register the  
18 applicant.
- 19 (6) Any individual or group shall have access to a reasonable number of voter  
20 registration forms including the mail-in application form prescribed by the Election  
21 Assistance Commission pursuant to the National Voter Registration Act of 1993 in  
22 the county clerk's office. The individual or group shall act under the proper  
23 supervision and directions of the county clerk and shall return these completed  
24 forms to the county clerk for official registration by the county 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) (a) The State Board of Elections shall create and make available a multilingual**  
4 **voter registration form.**

5 **(b) The form shall be prominently displayed on the State Board of Elections**  
6 **Web site in a downloadable format to be completed and returned to the**  
7 **county clerk, or completed and submitted by means of online transmission**  
8 **for official registration.**

9 **(c) Printed multilingual voter registration forms shall be provided to county**  
10 **clerks upon request by the county clerk.**

11 **(d) The State Board of Elections shall promulgate administrative regulations**  
12 **pursuant to KRS Chapter 13A for creating, furnishing, and processing**  
13 **completed multilingual voter registration forms.**

14 ~~(9)~~[(8)] The county clerk shall enter the specific party identification of the voter with a  
15 political party, political organization, or political group as defined in KRS 118.015,  
16 or independent status, as indicated by the voter on the voter registration form, into  
17 the statewide voter registration system. The State Board of Elections shall  
18 promulgate regulations under KRS Chapter 13A to provide for tracking of the  
19 registration of voters identifying with political organizations and political groups as  
20 defined in KRS 118.015, and voters of independent status.

21 ➔Section 3. KRS 117.001 is amended to read as follows:

22 As used in this chapter, unless the context otherwise requires:

23 **(1) "Absentee ballot" means any ballot used to cast a vote during an election at a**  
24 **time other than the day of an election, which may include a mail-in absentee**  
25 **ballot, in-person absentee ballot, a federal provisional absentee ballot, and a**  
26 **multilingual absentee ballot;**

27 ~~(2)~~[(1)] "Audit log" means a detailed record of all actions and events that have

1 occurred on the voting system, including:

- 2 (a) Log-in attempts with username and time stamp;
- 3 (b) Election definition and setup;
- 4 (c) Ballot preparation and results processing;
- 5 (d) Diagnostics of any type; and
- 6 (e) Error and warning messages and operator response;

7 ~~(3)~~~~(2)~~ "Automatic tabulating equipment" means apparatus necessary to automatically  
8 examine and count votes as designated on ballots and data processing machines  
9 which can be used for counting ballots and tabulating results;

10 ~~(4)~~~~(3)~~ "Ballot" or "official ballot" means the official presentation of offices and  
11 candidates to be voted for, including write-in candidates, and all public questions  
12 submitted for determination, and shall include a voting machine ballot, a paper  
13 ballot, an absentee ballot, a federal provisional ballot, a federal provisional absentee  
14 ballot, a multilingual ballot, a multilingual absentee ballot, or a supplemental  
15 paper ballot which has been authorized for the use of voters in any primary, regular  
16 election, or special election by the Secretary of State or the county clerk;

17 ~~(5)~~~~(4)~~ "Ballot box" means any box, bag, or other container that can be locked,  
18 sealed, or otherwise rendered tamper-resistant, for receiving ballots;

19 ~~(6)~~~~(5)~~ "Ballot marking device" means any approved device for marking a ballot  
20 which will enable the ballot to be tabulated manually or by means of automatic  
21 tabulating equipment;

22 ~~(7)~~~~(6)~~ "Election" or "elections" means any primary, regular election, or special  
23 election;

24 ~~(8)~~~~(7)~~ "Federal provisional voter" means a person:

- 25 (a) Who does not appear to be registered to vote;
- 26 (b) Whose name does not appear on the precinct roster;
- 27 (c) Who has not provided proof of identification to the precinct election officer

1 before voting in a federal election; and

2 (d) Who elects to proceed with voting a federal provisional ballot under KRS  
3 117.229;

4 ~~(9)~~~~(8)~~ "Federal provisional ballot" or "federal provisional absentee ballot" means  
5 ballots which have been authorized by the Secretary of State or the county clerk to  
6 be used by federal provisional voters in any federal primary or election;

7 ~~(10)~~~~(9)~~ "Inner envelope" or "secrecy envelope" means the envelope provided to the  
8 voter with a ballot into which the voter shall place his or her voted ballot;

9 ~~(11)~~~~(10)~~ "Multilingual ballot" or "multilingual absentee ballot" means a ballot that  
10 is fully translated into a language other than English, or both English and a  
11 language other than English, for each language in the state that has at least two  
12 thousand (2,000) citizens who are seventeen (17) years or older who speak  
13 English less than very well, as determined by the United States Bureau of the  
14 Census American Community Survey or comparable Census data;

15 ~~(12)~~ "Multilingual ballot hotline" means a telephone hotline that provides access to a  
16 qualified translator or interpreter in each of the languages in the state that has at  
17 least two thousand (2,000) citizens who are seventeen (17) years or older who  
18 speak English less than very well, as determined by the United States Bureau of  
19 the Census American Community Survey or comparable Census data;

20 ~~(13)~~ "Multilingual voter registration form" means a voter registration form that is  
21 fully translated into a language other than English, or both English and a  
22 language other than English, for each language in the state that has at least two  
23 thousand (2,000) citizens who are seventeen (17) years or older who speak  
24 English less than very well, as determined by the United States Bureau of the  
25 Census American Community Survey or comparable Census data;

26 ~~(14)~~ "Political group" has the same meaning as in KRS 118.015;

27 ~~(15)~~~~(14)~~ "Political organization" has the same meaning as in KRS 118.015;

1 ~~(16)~~~~(12)~~ "Precinct ballot counter" means an automatic tabulating device used at the  
2 precinct to tabulate and process ballots;

3 ~~(17)~~~~(13)~~ "Proof of identification" means a document that was issued by:

4 (a) The United States or the Commonwealth of Kentucky, and the document  
5 contains:

- 6 1. The name of the individual to whom the document was issued; and
- 7 2. A photograph of the individual to whom the document was issued;

8 (b) The United States Department of Defense, a branch of the uniformed services,  
9 the Merchant Marine, or the Kentucky National Guard, and the document  
10 contains:

- 11 1. The name of the individual to whom the document was issued; and
- 12 2. A photograph of the individual to whom the document was issued;

13 (c) A public or private college, university, or postgraduate technical or  
14 professional school located within the United States, and the document  
15 contains:

- 16 1. The name of the individual to whom the document was issued; and
- 17 2. A photograph of the individual to whom the document was issued; or

18 (d) Any city government, county government, urban-county government, charter  
19 county government, consolidated local government, or unified local  
20 government, which is located within this state, and the document contains:

- 21 1. The name of the individual to whom the document was issued; and
- 22 2. A photograph of the individual to whom the document was issued;

23 **(18) "Qualified translator" or "interpreter" means a translator or interpreter, as**  
24 **determined by the State Board of Elections, who is:**

25 **(a) Screened and tested for proficiency in both verbal and written English, and**  
26 **the required language, with affiliation or accreditation by a nationally**  
27 **recognized association of translators, has other credentials, or certifications**

1 that are comparable to or exceed the standards used by a nationally  
2 recognized association of translators; and

3 (b) Able to produce translations that are linguistically accurate, culturally  
4 appropriate, and technically consistent with original documents;

5 (19)~~[(14)]~~ "Risk-limiting audit" means an audit protocol that makes use of statistical  
6 principles and methods and is designed to limit to acceptable levels the risk of  
7 certifying a preliminary election outcome that constitutes an incorrect outcome;

8 (20) "Voter" means any name contained in any voter registration list;

9 (21)~~[(15)]~~ "Voting booth" or "ballot completion area" means an area in which a voter  
10 casts his or her vote or completes his or her ballot which is designed to ensure the  
11 secrecy of the vote;

12 (22)~~[(16)]~~ "Vote center" means a consolidated precinct of the county;

13 (23)~~[(17)]~~ "Voting equipment" means any physical component of a voting system and  
14 includes voting machines where voting machines are in operation;

15 (24)~~[(18)]~~ "Voting machine" or "machine" means a part of a voting system that consists  
16 of:

17 (a) A direct recording electronic voting machine that:

- 18 1. Records votes by means of a ballot display provided with mechanical or  
19 electro-operated components that may be actuated by the voter;
- 20 2. Processes the data by means of a computer program;
- 21 3. Records voting data and ballot images in internal and external memory  
22 components; and
- 23 4. Produces a tabulation of the voting data stored in a removable memory  
24 component and on a printed copy; or

25 (b) One (1) or more electronic devices that operate independently or as a  
26 combination of a ballot marking device and an electronic or automatic vote  
27 tabulation device;



1 ~~(25)~~~~(19)~~ "Voting system" means:

2 (a) The total combination of physical, mechanical, electromechanical, or  
3 electronic equipment, including the software, hardware, firmware, and  
4 documentation required to program, control, and support that equipment, that  
5 is used to:

- 6 1. Define ballots;
- 7 2. Cast and count votes;
- 8 3. Report or display election results; and
- 9 4. Maintain and produce any audit trail information; and

10 (b) The practices and associated documentation used to:

- 11 1. Identify system components and versions of those components;
- 12 2. Test the system during its development and maintenance;
- 13 3. Maintain records of system errors and defects;
- 14 4. Determine specific system changes to be made to a system after the  
15 initial qualification of the system; and
- 16 5. Make available any materials to the voter, such as notices, instructions,  
17 forms, or paper ballots; and

18 ~~(26)~~~~(20)~~ "Voter-verified paper audit trail" means a contemporaneous paper record of a  
19 ballot printed for the voter to confirm his or her votes before the voter casts his or  
20 her ballot that:

- 21 (a) Allows the voter to verify the voter's ballot choices before the casting of the  
22 voter's ballot;
- 23 (b) Is not retained by the voter;
- 24 (c) Does not contain individual voter information;
- 25 (d) Is produced on paper that is sturdy, clean, and resistant to degradation; and
- 26 (e) Is readable in a manner that makes the voter's ballot choices obvious to the  
27 voter or any person without the use of computer or electronic code.

1           ➔Section 4. KRS 117.025 is amended to read as follows:

- 2       (1) The State Board of Elections shall appoint an executive director, who shall be the  
3       chief administrative officer for the board. The board shall also appoint an assistant  
4       director, who shall be of a different political party than the director. The salaries of  
5       the director and the assistant director shall be set by the board.
- 6       (2) The State Board of Elections shall employ, on a bipartisan basis, a staff sufficient to  
7       carry out the duties assigned to the board, including legal counsel and a training  
8       officer to provide assistance to the county clerks and the county boards of elections  
9       in their training of precinct election officers.
- 10      (3) The board shall:
- 11      (a) Maintain a complete roster of all qualified registered voters within the state by  
12      county and precinct, and institute appropriate safeguards to ensure that there is  
13      no inappropriate use of the voter registration roster. State and local election  
14      officials, including the Secretary of State, employees of the Secretary, and  
15      members of the State Board of Elections and their staff, shall only use the  
16      voter registration roster for purposes relevant to their prescribed duties of  
17      election administration. The Secretary of State, and two (2) employees of the  
18      Secretary, who may be designated by the Secretary with explicit written  
19      authority and notification to the board, shall have electronic access to the  
20      information contained within the voter registration roster, but shall not  
21      correct, alter, or delete information from the voter registration roster, unless  
22      having obtained prior approval by a majority of the voting members of the  
23      board;
- 24      (b) For each primary, furnish each county clerk with a master list of all registered  
25      voters in the county, together with three (3) signature rosters of all registered  
26      voters in each precinct of the county according to party affiliation, and two (2)  
27      lists of all registered voters in each precinct of the county at least five (5) days

- 1 prior to each primary;
- 2 (c) For each regular election, furnish each county clerk with a master list of all  
3 registered voters in the county, together with one (1) signature roster of all  
4 registered voters in each precinct of the county on which each voter's party  
5 affiliation is identified, and two (2) lists of all registered voters in each  
6 precinct of the county at least five (5) days prior to each regular election;
- 7 (d) Maintain all information furnished to the board relating to the inclusion or  
8 deletion of names from the rosters for four (4) years;
- 9 (e) Furnish, at a reasonable price, the state central executive committee of each  
10 political party qualifying under KRS 118.015 monthly data of all additions,  
11 deletions and changes of registration in each precinct of each county and the  
12 state central executive committee shall furnish a county listing to each of the  
13 county executive committees of each political party;
- 14 (f) Purchase, lease or contract for the use of equipment necessary to properly  
15 carry out its duties under the provisions of this chapter and KRS Chapters 116  
16 and 118;
- 17 (g) Secure information from any source which may assist the board in carrying  
18 out the purposes of this section;
- 19 (h) Furnish at a reasonable price any and all precinct lists to duly qualified  
20 candidates, political party committees or officials thereof, or any committee  
21 that advocates or opposes an amendment or public question. The State Board  
22 of Elections may also furnish the precinct lists to other persons at the board's  
23 discretion, at a reasonable price to be determined by the board. The board  
24 shall not furnish precinct lists to persons who intend to use the lists for  
25 commercial use; and
- 26 (i) Be responsible for oversight of board personnel, including hiring,  
27 investigations, disciplinary actions, promotions, and other like actions subject

1 to KRS Chapter 18A.

2 (4) (a) The State Board of Elections shall establish a multilingual ballot hotline for  
3 use during the regular election held in November 2022, and for every  
4 subsequent election thereafter.

5 (b) Additional languages for translation or interpretation may be included  
6 within the scope of the multilingual ballot hotline as determined by the  
7 State Board of Elections.

8 (c) Notice of the multilingual ballot hotline shall be prominently and  
9 permanently displayed on the board's Web site. The initial notice of the  
10 hotline shall be displayed not later than eight (8) weeks prior to the regular  
11 election held in November 2022.

12 (d) The multilingual ballot hotline shall be available to voters and election  
13 officials for use at least forty-five (45) days prior to any election Monday  
14 through Friday between the hours of 8 a.m. to 6 p.m., local time. The  
15 Saturday prior to the day of any election, the hotline shall offer additional  
16 availability to voters for use between the hours of 8 a.m. to 6 p.m., local  
17 time. During the day of any election, the hotline shall be available to voters  
18 for use between the hours of 6 a.m. to at least one (1) additional hour past  
19 the local time for the closing of the polls.

20 (e) Each qualified translator or interpreter shall provide assistance with the  
21 translation of any ballot, any accompanying materials, or answer any  
22 questions necessary for a voter to cast his or her vote, but shall not provide  
23 explanations of or arguments for or against any candidate or public  
24 question that is included on the ballot.

25 (f) The State Board of Elections may promulgate administrative regulations in  
26 accordance with KRS Chapter 13A to create and administer the  
27 multilingual ballot hotline.

1           ➔Section 5. KRS 117.030 is amended to read as follows:

2       (1) The State Board of Elections shall publish and broadcast announcements throughout  
3       the state regarding the importance of voting in a free and conscientious manner,  
4       procedures for registering to vote and voting, absentee voting, general election  
5       laws, the availability of a multilingual ballot hotline, multilingual voter  
6       registration forms, multilingual ballots, multilingual absentee ballots, and  
7       penalties for vote buying and selling.

8       (2) The State Board of Elections shall provide for the conspicuous placement of signs  
9       at all precinct polling places, which shall state that vote buying and selling are  
10      illegal and shall state the penalties for such acts.

11      (3) The State Board of Elections shall provide for the conspicuous placement of signs  
12      at all precinct polling places, which display the telephone number and mailing  
13      address of the county board of elections, the availability of a multilingual ballot,  
14      the multilingual ballot hotline, and information informing~~[which inform the]~~  
15      voters of their right to report any administrative or clerical errors they witness to the  
16      county board of elections, either by phone or in writing within ten (10) days after  
17      the election.

18           ➔Section 6. KRS 117.085 is amended to read as follows:

19      (1) (a) All requests for a mail-in absentee ballot, including a multilingual mail-in  
20      absentee ballot, shall be requested through a secure online portal established  
21      by the State Board of Elections, except for:

- 22           1. Voters identified in KRS 117.077;
  - 23           2. Disabled voters; and
  - 24           3. Covered voters in paragraph (i) of this subsection;
- 25      who have the additional option of requesting a mail-in absentee ballot  
26      application through the county clerk.

27      (b) Acquiring a mail-in absentee ballot by means of the online portal shall require

1 the voter to input personally identifiable information for verification.

2 (c) For those voters who do not have the means of accessing the online portal, the  
3 county clerk shall fulfill a request for a mail-in absentee ballot by taking the  
4 voter's information over the telephone or in person and directly inputting that  
5 information into the secure online portal.

6 (d) The online portal shall have the capacity to ensure the identity of the voter  
7 through proof of identification as required under KRS 117.227 or by means of  
8 KRS 117.228.

9 (e) If a voter qualifies to receive a mail-in absentee ballot, the online portal shall  
10 transmit the mail-in absentee ballot request to the county clerk of the county in  
11 which the voter is registered to vote.

12 (f) The online portal shall not be open or permit any mail-in ballot requests to  
13 occur more than forty-five (45) days immediately preceding the day of a  
14 primary or an election. The online portal shall close at 11:59 p.m. local time,  
15 fourteen (14) days immediately preceding the day of a primary or an election.

16 (g) Except as otherwise provided in KRS 117.077, the mail-in absentee ballot  
17 may be requested by the voter or the spouse, parents, or children of the voter,  
18 but shall be restricted to the use of the voter.

19 (h) Except as otherwise provided in KRS 117.077 and covered voters in  
20 paragraph (i) of this subsection, a qualified voter may apply to cast his or her  
21 vote by mail-in absentee ballot if the completed application is received  
22 fourteen (14) days before the election, and if the voter is:

- 23 1. A resident of Kentucky who is a covered voter as defined in KRS  
24 117A.010;
- 25 2. A student who temporarily resides outside the county of his or her  
26 residence;
- 27 3. Incarcerated in jail and charged with a crime, but has not been convicted

- 1 of the crime;
- 2 4. Changing or has changed his or her place of residence to a different state
- 3 while the registration books are closed in the new state of residence
- 4 before an election of electors for President and Vice President of the
- 5 United States, in which case the voter shall be permitted to cast a mail-in
- 6 absentee ballot for electors for President and Vice President of the
- 7 United States only;
- 8 5. Temporarily residing outside the state but still eligible to vote in this
- 9 state;
- 10 6. Prevented from voting in person at the polls on election day and from
- 11 casting an in-person absentee ballot on all days in-person absentee
- 12 voting is conducted because his or her employment location requires
- 13 him or her to be absent from the county of his or her residence all hours
- 14 and all days in-person absentee voting is conducted;
- 15 7. A participant in the Secretary of State's crime victim address
- 16 confidentiality protection program as authorized by KRS 14.312; or
- 17 8. Not able to appear at the polls on election day or the days in-person
- 18 absentee voting is conducted on the account of age, disability, or illness,
- 19 and who has not been declared mentally disabled by a court of
- 20 competent jurisdiction.
- 21 (i) Residents of Kentucky who are covered voters as defined in KRS 117A.010
- 22 may apply for a mail-in absentee ballot by means of the federal post-card
- 23 application, which may be transmitted to the county clerk's office by mail, by
- 24 facsimile machine, or by means of the electronic transmission system
- 25 established under KRS 117A.030(4). The federal post-card application may be
- 26 used to register, reregister, and to apply for a mail-in absentee ballot. If the
- 27 federal post-card application is received at any time not less than seven (7)

1 days before the election, the county clerk shall affix his or her seal to the  
2 application form upon receipt.

3 (j) Any voter who is disabled may use an accessible mail-in absentee ballot portal  
4 to request a mail-in absentee ballot, the standards of which shall be set by the  
5 State Board of Elections pursuant to administrative regulations promulgated  
6 under KRS Chapter 13A.

7 (2) In-person absentee voting shall be conducted in the county clerk's office or other  
8 place designated by the county board of elections and approved by the State Board  
9 of Elections during normal business hours on the Thursday, Friday, and Saturday  
10 immediately preceding the day of a primary or an election. Any voter who is  
11 qualified to vote on election day in the county of his or her residence may choose to  
12 cast an in-person absentee ballot while in-person absentee voting is being conducted  
13 during the days listed in this subsection. The voter who elects to vote in-person  
14 absentee shall provide proof of identification as defined in KRS 117.001 or meet  
15 the requirements of KRS 117.228 and 117.229.

16 (3) The members of the county board of elections or their designees who provide equal  
17 representation of both political parties may serve as precinct election officers,  
18 without compensation, for all in-person absentee voting conducted. If the members  
19 of the county board of elections or their designees serve as precinct election officers  
20 for in-person absentee voting, they shall perform the same duties and exercise the  
21 same authority as precinct election officers who serve on the day of an election. If  
22 the members of the county board of elections or their designees do not serve as  
23 precinct election officers for in-person absentee voting, the county clerk or deputy  
24 county clerks shall supervise the in-person absentee voting.

25 (4) Any individual qualified to appoint challengers for the day of an election may also  
26 appoint challengers to observe all in-person absentee voting, and those challengers  
27 may exercise the same privileges as challengers appointed for observing voting on



1 the day of an election at a regular polling place.

2 (5) For those voters who are eligible to receive a mail-in absentee ballot by means other  
3 than the secure online portal pursuant to subsection (1) of this section, the county  
4 clerk shall type the name of the voter permitted to vote by mail-in absentee ballot on  
5 the mail-in absentee ballot application for that person's use and no other. The mail-  
6 in absentee ballot application shall be in the form prescribed by the State Board of  
7 Elections, which shall include the voter affirmation form as prescribed in KRS  
8 117.228(1)(c) and shall contain the following information: name, residential  
9 address, precinct, party affiliation, statement of the reason the person cannot vote in  
10 person on election day, statement of where the voter shall be on election day,  
11 statement of compliance with residency requirements for voting in the precinct, an  
12 instructional statement prescribing the requirements for providing a copy of the  
13 voter's proof of identification or voter affirmation when applicable, and the voter's  
14 mailing address for a mail-in absentee ballot. The mail-in absentee ballot  
15 application form shall be verified and signed by the voter, and the voter shall  
16 provide a copy of his or her proof of identification, as defined in KRS 117.001, or  
17 the executed voter affirmation as described in KRS 117.228(1)(c). A notice of the  
18 actual penalty provisions in KRS 117.995(2) and (5) shall be printed on the mail-in  
19 absentee ballot application form.

20 (6) For those voters eligible to receive a mail-in absentee ballot, if the county clerk  
21 finds that the voter has completed and submitted an application for a mail-in  
22 absentee ballot as provided in this section, is properly registered as stated in his or  
23 her mail-in absentee ballot application, and qualifies to receive a mail-in absentee  
24 ballot by mail, the county clerk shall mail to the voter a mail-in absentee ballot, two  
25 (2) official envelopes for returning the mail-in absentee ballot, and instructions for  
26 voting.

27 (7) Mail-in absentee ballots shall be mailed to a voter's residential address located in

1 the county in which the voter is registered, except for:

2 (a) Qualified voters who apply pursuant to the requirements of subsection (1)(h)1.  
3 to 6. of this section; or

4 (b) Qualified voters covered under KRS 117.077.

5 (8) The county clerk shall:

6 (a) Transmit a mail-in absentee ballot to the voter who is eligible to receive a  
7 mail-in absentee ballot within four (4) days of receipt or within four (4) days  
8 of the ballots being available;

9 (b) Cause mail-in absentee ballots to be printed fifty (50) days prior to each  
10 primary or regular election, and forty-five (45) days prior to a special election;  
11 and

12 (c) Complete a postal form for a certificate of mailing for mail-in absentee ballots  
13 mailed within the fifty (50) states, and it shall be stamped by the postal service  
14 when the mail-in absentee ballots are mailed. Unless a postal form for a  
15 certificate of mailing is required, the county clerk may use methods of  
16 tracking the mail-in absentee ballots by means of a printed barcode or other  
17 label that is unique to the individual voter issued by the State Board of  
18 Elections pursuant to administrative regulations promulgated under KRS  
19 Chapter 13A.

20 (9) A mail-in absentee ballot may be transmitted by facsimile machine or by the  
21 electronic transmission system established under KRS 117A.030(4) to a covered  
22 voter as defined in KRS 117A.010. The covered voter shall be notified of the  
23 options for transmittal of the mail-in absentee ballot, and the mail-in absentee ballot  
24 shall be transmitted by the method chosen for receipt by the resident of Kentucky  
25 who is a covered voter.

26 (10) The outer envelope of the mail-in absentee ballot shall bear the words "Absentee  
27 Ballot", the address and official title of the county clerk, a printed barcode or other

1 label that is unique to the individual voter issued by the State Board of Elections,  
2 and adequate space for the voter's signature, voting address, precinct number, and  
3 signatures of two (2) witnesses if the voter signs the form with the use of a mark  
4 instead of the voter's signature. A detachable flap on the secrecy envelope shall  
5 provide space for the voter's signature, voting address, precinct number, signatures  
6 of two (2) witnesses if the voter signs the form with the use of a mark instead of the  
7 voter's signature and notice of penalty provided in KRS 117.995(5). The county  
8 clerk shall type the voter's address and precinct number in the upper left hand corner  
9 of the outer envelope and of the detachable flap on the secrecy envelope  
10 immediately below the blank space for the voter's signature. The secrecy envelope  
11 shall be blank. If applicable, the county clerk shall retain the voter's mail-in ballot  
12 application, which shall include the photographed copy of the voter's proof of  
13 identification or the voter affirmation as prescribed by KRS 117.228(1)(c), and the  
14 postal form required by subsection (8) of this section for twenty-two (22) months  
15 after the primary or election.

16 (11) Except as otherwise provided in subsection (13) of this section, any person who has  
17 received a mail-in absentee ballot but who knows at least seven (7) days before the  
18 date of the election that he or she will be in his or her county of residence on  
19 election day and who has not voted pursuant to the provisions of KRS 117.086 shall  
20 cancel his or her mail-in absentee ballot and vote in person. The voter shall return  
21 the mail-in absentee ballot to the county clerk's office by mail or hand delivery no  
22 later than seven (7) days prior to the date of the election. Upon the return of the  
23 mail-in absentee ballot, the county clerk shall mark on the outer envelope of the  
24 sealed ballot or the unmarked ballot the words "Canceled because voter appeared to  
25 vote in person." Sealed envelopes so marked shall not be opened. The county clerk  
26 shall remove the voter's name from the list of persons who were sent mail-in  
27 absentee ballots, and the voter may vote in the precinct in which he or she is

1 properly registered.

2 (12) Any voter qualified for a mail-in absentee ballot who does not receive a requested  
3 mail-in absentee ballot within a reasonable amount of time shall contact the county  
4 clerk, who shall reissue a second mail-in absentee ballot. The county clerk shall  
5 keep a record of the mail-in absentee ballots issued and returned by mail, hand-  
6 delivered, or placed in a secure drop-box or receptacle, and the in-person absentee  
7 voting and federal in-person provisional absentee voting that is conducted, to verify  
8 that only the first voted ballot is counted. Upon the return of any mail-in absentee  
9 ballot after the first mail-in absentee ballot is returned, the county clerk shall mark  
10 on the outer envelope of the sealed ballot the words "Canceled because ballot  
11 reissued."

12 (13) Any covered voter as defined in KRS 117A.010 who has received a mail-in  
13 absentee ballot but who knows that he or she will be in the county on election day  
14 and who has not voted pursuant to the provisions of KRS 117.086 shall cancel his  
15 or her mail-in absentee ballot and vote in person. The voter shall return the mail-in  
16 absentee ballot to the county clerk's office on or before election day. Upon the  
17 return of the mail-in absentee ballot, the county clerk shall mark on the outer  
18 envelope of the sealed mail-in absentee ballot or the unmarked mail-in absentee  
19 ballot the words "Canceled because voter appeared to vote in person." Sealed  
20 envelopes so marked shall not be opened. If the covered voter is unable to return the  
21 mail-in absentee ballot to the county clerk's office on or before election day, at the  
22 time he or she votes in person, he or she shall sign a written oath as to his or her  
23 qualifications on the form prescribed by the State Board of Elections pursuant to  
24 KRS 117.245. The county clerk shall remove the voter's name from the list of  
25 persons who were sent mail-in absentee ballots, provide the voter with written  
26 authorization to vote at the precinct, and the voter may vote in the precinct in which  
27 he or she is properly registered.

1 (14) The State Board of Elections shall promulgate administrative regulations to:

2 (a) Ensure election officials have real-time knowledge of which voters have  
3 requested mail-in absentee ballots; and

4 (b) Provide procedures to be followed if a voter attempts to vote more than once  
5 at a primary or an election.

6 (15) Notwithstanding the provisions of the Kentucky Open Records Act, KRS 61.870 to  
7 61.884, and except for when the identification of the voter is provided to the county  
8 board of elections under KRS 117.087, the information contained in an application  
9 for a mail-in absentee ballot shall not be made public until after the close of  
10 business hours on the election day for which the application applies. Except for  
11 necessary election officials and for election-related duties as prescribed by law, the  
12 name of the person who votes by means of a mail-in absentee ballot shall not be  
13 disclosed. This subsection shall not prohibit at any time the disclosure, upon  
14 request, of the total number of applications for mail-in absentee ballots that have  
15 been filed, or the disclosure to the Secretary of State or the State Board of Elections,  
16 if requested or if otherwise required by law, of any information in an application for  
17 a mail-in absentee ballot.

18 ➔Section 7. KRS 117.125 is amended to read as follows:

19 Except for voting equipment that has been certified and in use on or before June 29, 2021,  
20 no voting system shall be approved for use after June 29, 2021, by the State Board of  
21 Elections, either upon initial examination or reexamination, unless the system has been  
22 certified under KRS 117.379 and is so constructed that it shall:

23 (1) Ensure secrecy to the voter in the act of voting so that no person can see or know for  
24 whom any other voter has voted or is voting, except for those voters requiring  
25 assistance under KRS 117.255;

26 (2) Permit votes to be cast for any candidate entitled to have his or her name printed  
27 upon the ballots at any primary, regular election, or special election, and for or

- 1           against any public question entitled to be placed upon the ballots;
- 2   (3)   Except at a primary, permit a voter to vote for all the candidates of one (1) party or  
3       for one (1) or more candidates of every party having candidates entitled to be voted  
4       for, or for one (1) or more independent, political organization, or political group  
5       candidates;
- 6   (4)   Permit a voter to vote for as many persons for an office as the voter is lawfully  
7       entitled to vote for, and no more;
- 8   (5)   Prevent a voter from voting for more persons for any office than the voter is entitled  
9       to vote for, and from voting for the same person, or for or against the same  
10      question, more than once;
- 11   (6)   Permit a voter to vote for or against any question the voter may have the right to  
12      vote on, but no other;
- 13   (7)   Provide for a nonpartisan ballot;
- 14   (8)   Be capable of being adjusted for use in a primary so that a voter may not vote for  
15      any person except those seeking nomination as candidates of the voter's party, as  
16      candidates for a nonpartisan office, or as candidates for an office of the Court of  
17      Justice;
- 18   (9)   Permit each voter to vote for all the candidates for presidential electors of any party  
19      by one (1) operation;
- 20   (10)  Permit each voter to vote, in any regular or special election, for any person for  
21      whom the voter desires to vote whose name does not appear upon the ballot by  
22      providing a method of write-in voting;
- 23   (11)  Be safe, efficient, and accurate in the conduct of elections, and correctly register and  
24      accurately count all votes cast for each person, and for or against each public  
25      question;
- 26   (12)  (a)  Provide each voter an opportunity to verify votes recorded on the permanent  
27      paper ballot, either visually or using assistive voting technology, by producing

- 1 a voter-verified paper audit trail;
- 2 (b) Provide each voter an opportunity to change votes or correct any error before  
3 the voter's ballot is cast and counted; and
- 4 (c) Provide a voter who spoils his or her ballot another ballot as provided under  
5 this chapter;
- 6 (13) Use an individual, discrete, permanent, paper ballot cast by the voter for tabulating  
7 purposes;
- 8 (14) Preserve the paper ballot as an official record available for use in any audit or  
9 recount;
- 10 (15) Be suitably designed for the purpose used, constructed of a durable material, and  
11 safely transportable;
- 12 (16) Be capable of determining whether the voting equipment has been unlocked and  
13 operated or adjusted in any manner after once being locked;
- 14 (17) Have a public counter with a register which is visible from the outside of the  
15 counter or device that will show at all times during an election how many persons  
16 have voted;
- 17 (18) Have a protective cumulative counter indicating the number of votes cast for each  
18 person, and the votes cast for or against each public question which cannot be seen,  
19 reset, or tampered with without unlocking a covering device by a key or other  
20 security apparatus that cannot unlock any other part of the equipment, and which  
21 prevents changes to the cumulative counter once the system has been put into  
22 operation on the day of any election;
- 23 (19) Provide for the tabulating of votes at the precinct as required under KRS 117.275;
- 24 (20) Provide locks or other security apparatus by which the operation of the voting  
25 equipment may be locked before the time for opening the polls and after the time  
26 for closing the polls;
- 27 (21) Permit a voter to readily learn the method of operating it, to expeditiously cast a

1 vote for all candidates and on all questions of the voter's choice, and when operated  
2 properly, register and record correctly and accurately every vote cast;

3 (22) Bear a number or other unique designation that will distinguish it from any other  
4 voting equipment or voting system;

5 (23) Produce a real-time audit log record for the voting system, and produce a paper  
6 record with a manual audit capacity which shall be available as an official record for  
7 any recount conducted related to any primary or election in which the system is  
8 used;

9 (24) Be accessible for individuals with impairments, including nonvisual accessibility  
10 for the blind or visually impaired, in a manner that provides the same opportunity  
11 for access and participation, including privacy and independence, as for other  
12 voters;

13 **(25) Permit the use of a multilingual ballot;**

14 ~~(26)~~ Meet or exceed the standards for a voting system established by the Election  
15 Assistance Commission, as amended from time to time, and those approved under  
16 KRS 117.379; and

17 ~~(27)~~ Meet such other requirements as may be established by the State Board of  
18 Elections in administrative regulations promulgated under KRS Chapter 13A to  
19 reflect changes in technology to ensure the integrity and security of voting systems.

20 ➔Section 8. KRS 117.145 is amended to read as follows:

21 (1) At least forty-five (45) days before any special election, and at least fifty (50) days  
22 before any primary or regular election, the county clerk of each county shall cause  
23 to be printed and ready for use ballots listing each candidate who, and each question  
24 which, is entitled to be voted upon in such primary or election. The ballots shall be  
25 printed on clear white paper or other material, in black ink, in plain, clear type  
26 clearly legible to a person with normal vision, and shall include the necessary party  
27 designations. The quality of the paper and the size of the ballots shall be established



1 by the State Board of Elections in administrative regulations promulgated under  
2 KRS Chapter 13A.

3 (2) Each county clerk shall have printed a sufficient number of paper absentee ballots,  
4 *multilingual ballots, multilingual absentee ballots,* voter affirmations, and election  
5 official affirmations, *to be used for any primary or election.* The ballots shall be  
6 consecutively numbered and the county board shall keep a record, by number, of all  
7 absentee ballots used for any of the purposes listed in this subsection.

8 (3) Each county clerk shall have printed a sufficient number of federal provisional  
9 ballots, which, except for the candidates listed, shall have the same form as the  
10 absentee ballots. A federal provisional ballot shall indicate that the ballot is a  
11 federal provisional ballot. The federal provisional ballot stubs shall be  
12 consecutively numbered, and the county board of elections shall keep a record, by  
13 number, of all federal provisional ballots used for votes cast by provisional voters in  
14 federal elections.

15 (4) Each county clerk shall have printed a sufficient number of paper ballots to be used  
16 for voting for any primary or election. The methods of securing the integrity of the  
17 ballots from the time of certification of each candidate and each question to be  
18 voted upon in any primary or election until the conclusion of the primary or  
19 election, and the method of tracking all voted, unvoted, or spoiled ballots shall be  
20 established by the State Board of Elections in administrative regulations  
21 promulgated under KRS Chapter 13A.

22 (5) No later than the Friday preceding a special or regular election, the county clerk  
23 shall equip the voting equipment with the necessary supplies for the purpose of  
24 write-in votes. The county clerk shall also provide a pencil, pen, or ballot marking  
25 device for the voting equipment for write-in purposes.

26 (6) If supplemental paper ballots have been approved as provided in KRS 118.215, the  
27 county clerk shall cause to be printed a sufficient number of supplemental paper

1 ballots for the registered voters of each precinct. The supplemental paper ballots  
2 shall have stubs which are numbered consecutively.

3 ➔Section 9. KRS 117.175 is amended to read as follows:

4 **(1)** The county clerk shall, with the county attorney, prepare a sufficient number of  
5 instruction cards containing instructions as to the proper method of voting by the  
6 use of the voting equipment, and instructions as to the proper method of casting a  
7 write-in vote.

8 **(2)** For federal provisional ballots and supplemental paper ballots, if approved as  
9 provided in KRS 118.215, the instruction cards shall indicate the offices,  
10 candidates, and questions which will appear on the federal provisional or  
11 supplemental paper ballots, the offices that will appear on the federal provisional or  
12 supplemental ballot, the instructions for marking and depositing the federal  
13 provisional or supplemental paper ballots, instructions for filling out the federal  
14 provisional or supplemental ballot, and instructions on how to properly execute the  
15 voter affirmations.

16 **(3) (a) A sufficient number of multilingual instruction cards shall be prepared in a**  
17 **language other than English, or both English and a language other than**  
18 **English, for each language in those counties who have at least two**  
19 **thousand (2,000) citizens age seventeen (17) years or older, or two and one-**  
20 **half percent (2.5%) of citizens in the county age seventeen (17) years or**  
21 **older, who speak English less than very well, as determined by the United**  
22 **States Bureau of the Census American Community Survey or comparable**  
23 **census data;**

24 **(b) The multilingual instruction cards shall include the same content that is**  
25 **provided by the English instruction cards and shall be prepared by a**  
26 **qualified translator or interpreter;**

27 **(c) The State Board of Elections shall:**

- 1            1. Make the determination of which counties are required to make
- 2            multilingual instruction cards based on information provided in the
- 3            most recent five (5) year estimates specified in the United States
- 4            Bureau of the Census American Community Survey or comparable
- 5            census data;
- 6            2. Notify each county clerk that is required to provide a multilingual
- 7            instruction card;
- 8            3. Post a list prominently on the State Board of Election's Web site of all
- 9            counties that are required to provide a multilingual instruction card;
- 10           and
- 11           4. Provide the template of the multilingual instruction cards for the
- 12           county clerk and the county attorney in each county affected by this
- 13           subsection through the promulgation of administrative regulations
- 14           pursuant to KRS Chapter 13A; and
- 15           (d) For counties that are not required to provide multilingual instruction cards
- 16           under this subsection, a county clerk, with the county attorney, may prepare
- 17           multilingual instruction cards based on the available templates provided by
- 18           the State Board of Elections.

- 19           **(4)** The instruction cards shall be:
- 20           **(a)** ~~{Be }~~Examined and approved by the county board of elections at the time the
- 21           voting equipment is examined and approved;~~{The instruction cards shall }~~
- 22           **(b)** ~~{Be }~~Delivered to each election clerk by the county clerk at the time that other
- 23           election supplies are delivered; and~~{ and the election clerk shall post the~~
- 24           ~~instruction card at the polling place}~~
- 25           **(c)** Posted at the polling place by the election clerk.

26           ➔Section 10. KRS 117.187 is amended to read as follows:

27           (1) The State Board of Elections shall regularly provide special training regarding the

1 election laws and methods of enforcement to all members of county boards of  
2 elections, county attorneys, Commonwealth's attorneys, and certain members of the  
3 Department of Kentucky State Police.

4 (2) The county board of elections shall provide special training before each primary,  
5 regular election, and any special election to all election officers, alternates, and  
6 certified challengers regarding their duties and the penalties for failure to perform.  
7 Election officers, including alternates, and certified challengers shall attend the  
8 training session, unless excused by the county board of elections for reason of  
9 illness or other emergency. Any person who fails to attend a training session  
10 without being excused shall be prohibited from serving as an election officer or  
11 challenger for a period of five (5) years. The training provided by the county board  
12 of elections shall include but not be limited to the following:

- 13 (a) Operation of the voting equipment, and voting system as applicable;
- 14 (b) Posting of necessary signs and notices at the polling place;
- 15 (c) Voter assistance;
- 16 (d) Maintaining precinct rosters;
- 17 (e) Confirmation of a voter's identity;
- 18 (f) Challenge of a voter;
- 19 (g) Completing changes of address or name at the polling place;
- 20 (h) Qualifications for voting in a primary;
- 21 (i) Electioneering and exit polling;
- 22 (j) Write-in voting procedures;
- 23 (k) Persons who may be in the voting room;
- 24 (l) Election violations and penalties;
- 25 (m) Assistance which may be provided by law enforcement officers;
- 26 (n) Election reports;
- 27 (o) Disability awareness;

- 1 (p) Provisional voting and provisional absentee voting;
- 2 (q) Election emergency contingency plan;
- 3 (r) Elections, voting equipment, and voting systems security plan;
- 4 (s) Proof of identification;~~[-and]~~
- 5 (t) Information concerning the secure online portal to request a mail-in absentee
- 6 ballot;

7 **(u) Information relating to the different types of ballots and how they are to be**

8 **used in the process of voting; and**

9 **(v) Information relating to the multilingual ballot hotline.**

10 (3) The county attorney or the county attorney's designee may attend the training

11 session for election officers to assist in explaining the duties and penalties for

12 failure to perform.

13 (4) Compensation in the minimum amount of ten dollars (\$10) for reimbursement of

14 actual expenses shall be paid by the county to the election officers for attending the

15 training session.

16 ➔Section 11. KRS 117.195 is amended to read as follows:

17 (1) At least one (1) hour prior to the opening of the polls, the county clerk shall deliver

18 the voting equipment, with the operating device and mechanism and the device

19 covering the registering counters securely locked, to the clerk of the precinct in

20 which it is to be used, and shall take a receipt indicating the distinguishing number

21 or the unique designation of the voting equipment. The clerk of the precinct shall

22 cause any voting equipment to be arranged in the voting place so that the front of

23 the equipment on which the ballots appear, if applicable, and the operating devices,

24 will not be visible, when being operated, to any person other than the voter.

25 (2) In polling places in which voting equipment for multiple precincts are located, the

26 county clerk shall post a sign near the voting equipment identifying the precinct for

27 which the voting equipment has been designated.

- 1 (3) ~~For federal provisional ballots, and supplemental paper ballots if approved as~~  
 2 ~~provided in KRS 118.215,~~ The county clerk shall, at least one (1) hour prior to the  
 3 opening of the polls, deliver or confirm that there is available:
- 4 (a) A sufficient number of ballots, ***including multilingual ballots,*** and  
 5 supplemental paper ballots if approved ***as provided in KRS 118.125,*** for the  
 6 registered voters of each precinct;
- 7 (b) A sufficient number of voting booths for voting federal provisional ballots,  
 8 and supplemental paper ballots ~~if approved~~;
- 9 (c) A sufficient amount of string and rubber stamps for marking "Spoiled" and  
 10 "Unused" ballots;
- 11 (d) A locked ballot box or receptacle for federal provisional ballots, and a  
 12 separate locked ballot box for supplemental paper ballots ~~if approved~~, for  
 13 each precinct; and
- 14 (e) A sufficient number of federal provisional voter ballots, voter affirmations,  
 15 and election official affirmations.

16 The county clerk shall take a receipt for the number of federal provisional ballots,  
 17 and supplemental paper ballots ~~if approved~~, issued and the ballot boxes or ballot  
 18 receptacles for each precinct. The county clerk shall retain the keys to all ballot  
 19 boxes and ballot receptacles.

20 ➔Section 12. KRS 117.228 is amended to read as follows:

- 21 (1) Except as provided in subsection (4) of this section, on the day of a primary, an  
 22 election, or during in-person absentee voting, if a voter is unable to provide proof of  
 23 identification as required under KRS 117.225, and as defined under KRS 117.001, a  
 24 voter may cast a ballot if the individual:
- 25 (a) Is eligible to vote under KRS 116.025;
- 26 (b) Is entitled to vote in that precinct; and
- 27 (c) In the presence of the election officer, executes a voter's affirmation, on a

1 form prescribed and furnished by the State Board of Elections pursuant to  
2 administrative regulations promulgated under KRS Chapter 13A, affirming:

- 3 1. The voter is a citizen of the United States;
- 4 2. The voter's date of birth to the best of the voter's knowledge and belief;
- 5 3. The voter is qualified to vote in this precinct under KRS 116.025;
- 6 4. The voter's name, and that the voter is generally known by that name, or  
7 the name is as stated on his or her voter registration card;
- 8 5. The voter has not voted and will not vote in any other precinct;
- 9 6. The voter's current residential address, including the street address  
10 number and, if different from the voter's current address, the voter's  
11 residential address prior to the close of the registration books under KRS  
12 116.045, and the date the voter moved;
- 13 7. The voter understands that making a false statement on the affirmation is  
14 punishable under penalties of perjury; and
- 15 8. The voter has one (1) of the following impediments to procure proof of  
16 identification as defined in KRS 117.001:
  - 17 a. Lack of transportation;
  - 18 b. Inability to obtain his or her birth certificate or other documents  
19 needed to show proof of identification;
  - 20 c. Work schedule;
  - 21 d. Lost or stolen identification;
  - 22 e. Disability or illness;
  - 23 f. Family responsibilities;
  - 24 g. The proof of identification has been applied for, but not yet  
25 received; or
  - 26 h. The voter has a religious objection to being photographed.

27 (2) In addition to the requirements of subsection (1) of this section, to cast a ballot, the

1 voter who is unable to provide proof of identification shall provide to an election  
2 officer:

3 (a) The voter's Social Security Card;

4 (b) Any identification card issued by a county in this state which has the name of  
5 the voter stated and has been approved in writing by the State Board of  
6 Elections pursuant to administrative regulations promulgated under KRS  
7 Chapter 13A;

8 (c) Any identification card with the voter's photograph and the name of the voter  
9 stated;

10 (d) Any food stamp identification card, electronic benefit transfer card, or  
11 supplemental nutrition assistance card, that is issued by this state and has the  
12 name of the voter stated; or

13 (e) A credit or debit card with the name of the voter stated.

14 (3) After the election officer obtains the affirmation from the voter required by  
15 subsection (1) of this section, and after the voter provides the documents under  
16 subsection (2) of this section, the voter shall sign the precinct signature roster and  
17 shall proceed to cast his or her vote in a ballot completion area.

18 (4) If the voter is personally known to the election officer, the election officer may  
19 execute an election officer affirmation, on a form prescribed and furnished by the  
20 State Board of Elections pursuant to administrative regulations promulgated under  
21 KRS Chapter 13A, affirming the voter's identification as being personally known to  
22 him or her. Once the affirmation is executed by the election officer, the voter shall  
23 sign the precinct signature roster and shall proceed to cast his or her vote in a ballot  
24 completion area. For purposes of this subsection, "personally known" means that  
25 the election officer knows the voter's name and that the voter is a resident of the  
26 community.

27 (5) The voter affirmation and the election officer affirmations executed under this



1 section shall be processed in the same manner as an oath of voter affidavit as  
2 prescribed by subsection (4) and (5) of Section 14 of this Act~~[KRS 117.245(3) and~~  
3 ~~(4)]~~.

4 ➔Section 13. KRS 117.235 is amended to read as follows:

- 5 (1) No person, other than the election officers, challengers, person assisting voters in  
6 accordance with KRS 117.255(3), and a minor child in the company of a voter, shall  
7 be permitted within the voting room while the vote is being polled, except as  
8 follows:
- 9 (a) For the purpose of voting;
  - 10 (b) By authority of the election officers to keep order and enforce the law;
  - 11 (c) With the express approval of the county board of elections to repair or replace  
12 voting equipment that is malfunctioning, and to provide additional voting  
13 equipment; or
  - 14 (d) At the voter's discretion, a minor child in the company of a voter may  
15 accompany the voter into a voting booth or other private area provided for  
16 casting a vote.
- 17 (2) No officer of election shall do any electioneering on election day.
- 18 (3) (a) No person shall electioneer at the polling place on the day of any election, as  
19 established in KRS 118.025, or within a distance of one hundred (100) feet of  
20 any entrance to a building in which voting is conducted if that entrance is  
21 unlocked and is used by voters on any primary or election day.
- 22 (b) No person shall electioneer within the interior of a building or affix any  
23 electioneering materials to the exterior or interior of a building where the  
24 county clerk's office is located, or any building designated by the county board  
25 of elections and approved by the State Board of Elections for in-person  
26 absentee voting, during the hours in-person absentee voting is being  
27 conducted in the building.

- 1 (c) No person shall electioneer within one hundred (100) feet of a mail-in  
2 absentee drop-box or drop-receptacle.
- 3 (d) Electioneering shall include the displaying of signs, the distribution of  
4 campaign literature, cards, or handbills, the soliciting of signatures to any  
5 petition, or the solicitation of votes for or against any bona fide candidate or  
6 ballot question in a manner which expressly advocates the election or defeat  
7 of the candidate or expressly advocates the passage or defeat of the ballot  
8 question, but shall not include exit polling, bumper stickers affixed to a  
9 person's vehicle while parked within or passing through a distance of one  
10 hundred (100) feet of any entrance to a building in which voting is conducted,  
11 private property as provided in subsection (7) of this section, or other  
12 exceptions established by the State Board of Elections through the  
13 promulgation of administrative regulations under KRS Chapter 13A.
- 14 (4) No voter shall be permitted to converse with others while in any room in which  
15 voting, including in-person absentee voting, is conducted concerning their support  
16 or nonsupport of any candidate, party, or issue to be voted on, except as provided in  
17 **KRS 117.255 and when using a multilingual ballot hotline.**
- 18 (5) Any precinct election officer, county clerk, deputy county clerk, or any law  
19 enforcement official may enforce the election laws and maintain law and order at  
20 the polls and within one hundred (100) feet of any entrance to the building in which  
21 voting is conducted if that entrance is unlocked and is used by voters. Assistance  
22 may be requested of any law enforcement officer.
- 23 (6) Notwithstanding the provisions of subsection (1) of this section, the State Board of  
24 Elections may establish a program designed to instill in school children a respect for  
25 the democratic principles of voting by conducting in any county a mock election for  
26 school children in conjunction with any primary, regular, or special election. The  
27 State Board of Elections shall promulgate administrative regulations under KRS

1 Chapter 13A regarding the mock elections to ensure that the regular voting process  
2 will not be impaired.

3 (7) Notwithstanding the provisions of subsection (3) of this section, nothing in this  
4 section shall prohibit the displaying of political campaign signs on private property  
5 or private establishments by a person having a leased or ownership interest in that  
6 private property or private establishment within the campaign-free zone, regardless  
7 of the distance from the polling place. In the case of a polling location being on  
8 private property that is leased or otherwise under contract for the purpose of serving  
9 as a polling location, the provisions of subsection (3) of this section shall be  
10 applicable to that leased or contracted-for private property.

11 ➔Section 14. KRS 117.245 is amended to read as follows:

12 (1) The fact that a person is registered constitutes only prima facie evidence of his or  
13 her right to vote and does not prevent the officers of any election from refusing to  
14 allow him or her to vote for cause.

15 (2) When the officers of an election disagree as to the qualifications of a voter or if his  
16 or her right to vote is disputed by a challenger, other than for failure to provide  
17 proof of identification as defined in KRS 117.001, the voter shall sign a written oath  
18 as to his or her qualifications before he or she is permitted to vote. The oath shall be  
19 in such form prescribed and furnished by the State Board of Elections pursuant to  
20 administrative regulations promulgated under KRS Chapter 13A. Twenty (20)  
21 printed copies of these oaths shall be included in the election supplies of each  
22 precinct.

23 **(3) Assistance with translation of the oath shall be available by means of the**  
24 **multilingual ballot hotline.**

25 ~~(4)~~~~(3)~~ The subscribed oaths shall be returned to the county clerk who shall deliver  
26 them to the Commonwealth's attorney.

27 ~~(5)~~~~(4)~~ The Commonwealth's attorney and county attorney shall investigate each of

1 the oaths and cause to be summoned before the grand jury the witnesses they or  
2 either of them, deem proper, and the grand jury shall make a thorough investigation  
3 of all votes so cast, and return indictments against all persons illegally voting. The  
4 foreman of the grand jury shall return to the county clerk all of the oaths upon  
5 which no indictments are found. The county clerk shall safely keep them as a part of  
6 the records of his or her office, and shall produce any or all of them, when required,  
7 to any subsequent grand jury.

8 ➔Section 15. KRS 117.255 is amended to read as follows:

- 9 (1) The voter shall be instructed by the officers of election, with the aid of the  
10 instruction cards, including multilingual instruction cards, and any model if  
11 applicable, in the use of the voting equipment, if the voter so requests.
- 12 (2) Except for those voters who have been certified as requiring assistance on a  
13 permanent basis under this section, no voter shall be permitted to receive any  
14 assistance in voting at the polls unless the voter makes and signs an oath that,  
15 because of blindness, other physical disability, or an inability to read English, the  
16 voter is unable to vote without assistance. The voter shall indicate in the oath the  
17 specific reason that requires the voter to receive assistance. The oath shall be upon a  
18 voter assistance form prescribed and furnished by the State Board of Elections  
19 pursuant to administrative regulations promulgated under KRS Chapter 13A. Any  
20 person assisting a voter shall complete the voter assistance form.
- 21 (3) Upon making and filing the oath with the precinct clerk, the voter requiring  
22 assistance shall retire to the voting booth or ballot completion area with the precinct  
23 judges, and one (1) of the judges shall, in the presence of the other judge and the  
24 voter, complete the ballot as the voter directs. A voter requiring assistance in voting  
25 may, if the voter prefers, be assisted by a person of the voter's own choice who is  
26 not an election officer, except that the voter's employer, an agent of the voter's  
27 employer, or an officer or agent of the voter's union shall not assist a voter.

- 1 (4) The precinct election clerk shall swear a person assisting a voter in voting to  
2 complete the ballot in accordance with the directions of the voter, and the person  
3 sworn shall enter the voting booth or ballot completion area and complete the ballot  
4 for the voter as the voter directs.
- 5 (5) A voter who requires voting assistance on a permanent basis because of blindness  
6 or other physical disability may apply to the county board of elections for  
7 certification. Application may be made when registering to vote or completing the  
8 voter assistance form by indicating that the reason for obtaining assistance is  
9 permanent. The county board of elections shall determine whether the applicant  
10 requires assistance on a permanent basis. The county board of elections shall notify  
11 the county clerk of persons certified as requiring permanent voting assistance and  
12 the county clerk shall enter the certification on the voter's registration record. The  
13 State Board of Elections shall indicate on the precinct roster of voters those voters  
14 who are certified to receive assistance permanently without signing the voter  
15 assistance form at the precinct.
- 16 (6) No voter shall be permitted to occupy the voting booth or ballot completion area  
17 more than four (4) minutes if other voters are waiting to use it, except that those  
18 voters who because of a disability need extra time to cast a ballot shall be given a  
19 reasonable amount of time to vote.
- 20 (7) In primaries, before a voter is permitted to use the voting equipment, a judge of the  
21 election shall adjust the voting equipment so that the voter will only be able to vote  
22 for the persons for whom the voter is qualified to vote.
- 23 (8) If the voting equipment is so constructed as to require adjustment after one (1)  
24 person has voted before another person may vote, the judges of election shall adjust  
25 it after each person has voted.
- 26 (9) The election officers shall constantly maintain a watch in order to prevent any  
27 person from voting more than once.

1 (10) For voters voting as federal provisional voters, or if supplemental paper ballots have  
2 been approved as provided in KRS 118.215, the voter shall vote his or her federal  
3 provisional or supplemental ballot in privacy in a voting booth provided for that  
4 purpose by the county clerk. If the voter spoils his or her federal provisional or  
5 supplemental ballot, the voter shall return the spoiled federal provisional or  
6 supplemental paper ballot to an election officer who shall stamp the ballot  
7 "Spoiled," initial, and place the spoiled federal provisional or supplemental ballot in  
8 an envelope provided for that purpose. The voter shall be issued a second federal  
9 provisional or supplemental paper ballot. Upon completion of voting, the voter shall  
10 remove the numbered stub from the federal provisional or supplemental ballot, hand  
11 the stub to an election officer and deposit the voted federal provisional or  
12 supplemental ballot in the appropriate locked ballot box or locked receptacle in the  
13 presence of an election officer.

14 (11) The election sheriff shall be responsible for reporting violations of this section.

15 ➔Section 16. KRS 117.383 is amended to read as follows:

16 The State Board of Elections shall promulgate administrative regulations under KRS  
17 Chapter 13A which shall maintain the maximum degree of correctness, impartiality, and  
18 efficiency of the procedures of voting and shall provide methods to:

- 19 (1) Count, tabulate, and record votes;
- 20 (2) Place items on any ballot which shall, as closely as possible, follow the  
21 requirements pertaining to ballots;
- 22 (3) Design the ballots to include a system to ensure an accurate record of all voting  
23 activities;
- 24 (4) Instruct voters in the use of the voting system, including any ballot marking device;
- 25 (5) Provide for checking the accuracy of the voting system;
- 26 (6) Provide necessary supplies, including those necessary for a write-in vote, to ensure  
27 voter privacy;

- 1 (7) As part of the official canvass, provide for a manual recount of randomly selected  
 2 precincts representing three percent (3%) to five percent (5%) of the total ballots  
 3 cast in each election;
- 4 (8) Provide for the conducting and review of an audit of any component of a voting  
 5 system or any voting equipment, and a review of any audit log;
- 6 (9) Provide for the conducting and review of an election audit, including a risk-limiting  
 7 audit, and risk-limiting audit pilot program;
- 8 (10) Provide a method for maintaining sufficient documents, including ballots and  
 9 records, so that votes can be recounted;

10 **(11) Create and administer the multilingual ballot hotline;**

11 ~~(12)~~~~(11)~~ Except as otherwise required in this chapter, all records and papers relating to  
 12 specified elections be retained for twenty-two (22) months, such documents and  
 13 records shall be maintained for thirty (30) days following an election; and

14 ~~(13)~~~~(12)~~ Unless contrary to the Help America Vote Act of 2002, ensure that all federal  
 15 provisional voting shall be conducted in a manner as prescribed by KRS Chapters  
 16 116 to 120.

17 ➔Section 17. KRS 118.015 is amended to read as follows:

18 As used in this chapter, unless the context otherwise requires:

19 **(1) "Absentee ballot" means any ballot used to cast a vote during an election at a**  
 20 **time other than the day of an election, which may include a mail-in absentee**  
 21 **ballot, in-person absentee ballot, a federal provisional absentee ballot, and a**  
 22 **multilingual absentee ballot;**

23 ~~(2)~~~~(1)~~ A "political party" is an affiliation or organization of electors representing a  
 24 political policy and having a constituted authority for its government and regulation,  
 25 and whose candidate received at least twenty percent (20%) of the total vote cast at  
 26 the last preceding election at which presidential electors were voted for;

27 ~~(3)~~~~(2)~~ The word "election" used in reference to a state, district, county, or city

1 election, includes the decisions of questions submitted to the qualified voters as  
 2 well as the choice of officers by them, which may include a primary, regular  
 3 election, or special election;

4 (3) A "ballot" or "official ballot" means the official presentation of offices and  
 5 candidates to be voted for, including write-in candidates, and all public questions  
 6 submitted for determination, and shall include a voting machine ballot, a paper  
 7 ballot, an absentee ballot, a federal provisional ballot, a federal provisional absentee  
 8 ballot, a multilingual ballot, a multilingual absentee ballot, or a supplemental  
 9 paper ballot which has been authorized for the use of the voters in any primary,  
 10 regular election, or special election by the Secretary of State or the county clerk;

11 (4) "Ballot box" means any box, bag, or other container that can be locked, sealed, or  
 12 otherwise rendered tamper-resistant, for receiving ballots;

13 (5) "Multilingual ballot" or "multilingual absentee ballot" means a ballot that is  
 14 fully translated into a language other than English, or both English and a  
 15 language other than English, for each language in the state that has at least two  
 16 thousand (2,000) citizens who are seventeen (17) years or older who speak  
 17 English less than very well, as determined by the United States Bureau of the  
 18 Census American Community Survey or comparable Census data;

19 ~~(6)~~~~(5)~~ "Voting equipment" means any physical component of a voting system and  
 20 includes voting machines where voting machines are in operation;

21 ~~(7)~~~~(6)~~ "Voting machine" or "machine" means a part of a voting system that consists  
 22 of:

23 (a) A direct recording electronic voting machine that:

- 24 1. Records votes by means of a ballot display provided with mechanical or
- 25 electro-operated components that may be actuated by the voter;
- 26 2. Processes the data by means of a computer program;
- 27 3. Records voting data and ballot images in internal and external memory



1 components; and

2 4. Produces a tabulation of the voting data stored in a removable memory  
3 component and on a printed copy; or

4 (b) One (1) or more electronic devices that operate independently or as a  
5 combination of a ballot marking device and an electronic or automatic vote  
6 tabulating device;

7 ~~(8)~~~~(7)~~ "Voting system" means:

8 (a) The total combination of physical, mechanical, electromechanical, or  
9 electronic equipment, including the software, hardware, firmware, and  
10 documentation required to program, control, and support that equipment, that  
11 is used to:

- 12 1. Define ballots;
- 13 2. Cast and count votes;
- 14 3. Report or display election results; and
- 15 4. Maintain and produce any audit trail information; and

16 (b) The practices and associated documentation used to:

- 17 1. Identify system components and versions of those components;
- 18 2. Test the system during its development and maintenance;
- 19 3. Maintain records of system errors and defects;
- 20 4. Determine specific system changes to be made to a system after the  
21 initial qualification of the system; and
- 22 5. Make available any materials to the voter, such as notices, instructions,  
23 forms, or paper ballots;

24 ~~(9)~~~~(8)~~ The word "resident" used in reference to a candidate in a state, district, county,  
25 or city election shall mean actual resident, without regard to the residence of the  
26 spouse of the candidate;

27 ~~(10)~~~~(9)~~ "Political organization" means a political group not constituting a political

1 party within the meaning of subsection (1) of this section but whose candidate  
2 received two percent (2%) or more of the vote of the state at the last preceding  
3 election for presidential electors; and

4 ~~(11)~~~~(10)~~ "Political group" means a political group not constituting a political party or a  
5 political organization within the meaning of subsections (1) and (9) of this section.

6 ➔Section 18. KRS 118A.010 is amended to read as follows:

7 As used in this chapter, unless the context otherwise requires:

8 **(1) "Absentee ballot" means any ballot used to cast a vote during an election at a**  
9 **time other than the day of an election, which may include a mail-in absentee**  
10 **ballot, in-person absentee ballot, a federal provisional absentee ballot, and a**  
11 **multilingual absentee ballot;**

12 ~~(2)~~~~(1)~~ "Ballot" or "official ballot" means the official presentation of offices and  
13 candidates to be voted for, including write-in candidates, and all public questions  
14 submitted for determination, and shall include a voting machine ballot, a paper  
15 ballot, an absentee ballot, a special ballot, **a multilingual ballot, a multilingual**  
16 **absentee ballot,** or a supplemental paper ballot which has been authorized for the  
17 use of the voters in any primary, regular election, or special election by the  
18 Secretary of State or the county clerk;

19 ~~(3)~~~~(2)~~ "Election" refers only to elections for offices of the Court of Justice;

20 **(4) "Multilingual ballot" or "multilingual absentee ballot" means a ballot that is**  
21 **fully translated into a language other than English, or both English and a**  
22 **language other than English, for each language in the state that has at least two**  
23 **thousand (2,000) citizens who are seventeen (17) years or older who speak**  
24 **English less than very well, as determined by the United States Bureau of the**  
25 **Census American Community Survey or comparable Census data;**

26 ~~(5)~~~~(3)~~ "Voting equipment" means any physical component of a voting system and  
27 includes voting machines where voting machines are in operation;

1 ~~(6)~~~~(4)~~ "Voting machine" or "machine" means a part of a voting system that consists  
2 of:

- 3 (a) A direct recording electronic voting machine that:
- 4 1. Records votes by means of a ballot display provided with mechanical or  
5 electro-operated components that may be actuated by the voter;
  - 6 2. Processes the data by means of a computer program;
  - 7 3. Records voting data and ballot images in internal and external memory  
8 components; and
  - 9 4. Produces a tabulation of the voting data stored in a removable memory  
10 component and on a printed copy; or
- 11 (b) One (1) or more electronic devices that operate independently or as a  
12 combination of a ballot marking device and an electronic or automatic vote  
13 tabulating device; and

14 ~~(7)~~~~(5)~~ "Voting system" means:

- 15 (a) The total combination of physical, mechanical, electromechanical, or  
16 electronic equipment, including the software, hardware, firmware, and  
17 documentation required to program, control, and support that equipment, that  
18 is used to:
- 19 1. Define ballots;
  - 20 2. Cast and count votes;
  - 21 3. Report or display election results; and
  - 22 4. Maintain and produce any audit trail information; and
- 23 (b) The practices and associated documentation used to:
- 24 1. Identify system components and versions of those components;
  - 25 2. Test the system during its development and maintenance;
  - 26 3. Maintain records of system errors and defects;
  - 27 4. Determine specific system changes to be made to a system after the

1 initial qualification of the system; and

2 5. Make available any materials to the voter, such as notices, instructions,  
3 forms, or paper ballots.

4 No provisions of KRS Chapter 118 existing on March 10, 1976, except KRS 118.015  
5 through 118.045 shall apply to such elections. All other provisions of the election laws  
6 not inconsistent with this chapter shall be applicable thereto.

7 ➔Section 19. KRS 119.005 is amended to read as follows:

8 As used in this chapter, unless the context otherwise requires:

9 (1) "Absentee ballot" means any ballot used to cast a vote during an election at a  
10 time other than the day of an election, which may include a mail-in absentee  
11 ballot, in-person absentee ballot, a federal provisional absentee ballot, and a  
12 multilingual absentee ballot;

13 ~~(2)~~~~(1)~~ A "ballot" or "official ballot" means the official presentation of offices and  
14 candidates to be voted for, including write-in candidates, and all public questions  
15 submitted for determination, and shall include a voting machine ballot, a paper  
16 ballot, an absentee ballot, a special ballot, a federal provisional ballot, a federal  
17 provisional absentee ballot, a multilingual ballot, a multilingual absentee ballot,  
18 or a supplemental paper ballot which has been authorized for the use of the voters in  
19 any primary or regular or special election by the Secretary of State or the county  
20 clerk;

21 ~~(3)~~~~(2)~~ "Ballot box" means any box, bag, or other container that can be locked,  
22 sealed, or otherwise rendered tamper-resistant, for receiving ballots;

23 (4) "Election" or "elections" means any primary, regular election, or special  
24 election;

25 (5) "Multilingual ballot" or "multilingual absentee ballot" means a ballot that is  
26 fully translated into a language other than English, or both English and a  
27 language other than English, for each language in the state that has at least two

1        thousand (2,000) citizens who are seventeen (17) years or older who speak  
 2        English less than very well, as determined by the United States Bureau of the  
 3        Census American Community Survey or comparable Census data;

4        ~~(6)~~~~(3)~~ "Voting equipment" means any physical component of a voting system and  
 5        includes voting machines where voting machines are in operation;

6        ~~(7)~~~~(4)~~ "Voting machine" or "machine" means a part of a voting system that consists  
 7        of:

8        (a) A direct recording electronic voting machine that:

- 9            1. Records votes by means of a ballot display provided with mechanical or
- 10           2. electro-operated components that may be actuated by the voter;
- 11           2. Processes the data by means of a computer program;
- 12           3. Records voting data and ballot images in internal and external memory
- 13           components; and
- 14           4. Produces a tabulation of the voting data stored in a removable memory
- 15           component and on a printed copy; or

16        (b) One (1) or more electronic devices that operate independently or as a  
 17        combination of a ballot-marking device and an electronic or automatic vote-  
 18        tabulating device; and

19        ~~(8)~~~~(5)~~ "Voting system" means:

20        (a) The total combination of physical, mechanical, electromechanical, or  
 21        electronic equipment, including the software, hardware, firmware, and  
 22        documentation required to program, control, and support that equipment, that  
 23        is used to:

- 24           1. Define ballots;
- 25           2. Cast and count votes;
- 26           3. Report or display election results; and
- 27           4. Maintain and produce any audit trail information; and

- 1 (b) The practices and associated documentation used to:
- 2 1. Identify system components and versions of those components;
- 3 2. Test the system during its development and maintenance;
- 4 3. Maintain records of system errors and defects;
- 5 4. Determine specific system changes to be made to a system after the
- 6 initial qualification of the system; and
- 7 5. Make available any materials to the voter, such as notices, instructions,
- 8 forms, or paper ballots.

9 →Section 20. KRS 120.005 is amended to read as follows:

10 As used in this chapter:

11 **(1) "Absentee ballot" means any ballot used to cast a vote during an election at a**  
 12 **time other than the day of an election, which may include a mail-in absentee**  
 13 **ballot, in-person absentee ballot, a federal provisional absentee ballot, and a**  
 14 **multilingual absentee ballot;**

15 ~~(2)~~~~(1)~~ A "ballot" or "official ballot" means the official presentation of offices and  
 16 candidates to be voted for, including write-in candidates, and all public questions  
 17 submitted for determination and shall include a voting machine ballot, a paper  
 18 ballot, an absentee ballot, a special ballot, a federal provisional ballot, a federal  
 19 provisional absentee ballot, **a multilingual ballot, a multilingual absentee ballot,**  
 20 or a supplemental paper ballot which has been authorized for the use of the voters in  
 21 any primary or regular or special election by the Secretary of State or the county  
 22 clerk;

23 ~~(3)~~~~(2)~~ "Ballot box" means any box, bag, or other container that can be locked,  
 24 sealed, or otherwise rendered tamper-resistant, for receiving ballots;

25 **(4) "Multilingual ballot" or "multilingual absentee ballot" means a ballot that is**  
 26 **fully translated into a language other than English, or both English and a**  
 27 **language other than English, for each language in the state that has at least two**

1        *thousand citizens (2,000) who are seventeen (17) years or older who speak*  
2        *English less than very well, as determined by the United States Bureau of the*  
3        *Census American Community Survey or comparable census data;*

4        ~~(5)~~~~(3)~~ "Voting equipment" means any physical component of a voting system and  
5        includes voting machines where voting machines are in operation;

6        ~~(6)~~~~(4)~~ "Voting machine" or "machine" means a part of a voting system that is either:

7        (a) A direct recording electronic voting machine that:

8            1. Records votes by means of a ballot display provided with mechanical or  
9            electro-operated components that may be actuated by the voter;

10          2. Processes the data by means of a computer program;

11          3. Records voting data and ballot images in internal and external memory  
12          components; and

13          4. Produces a tabulation of the voting data stored in a removable memory  
14          component and on a printed copy; or

15        (b) One (1) or more electronic devices that operate independently or as a  
16        combination of a ballot-marking device and an electronic or automatic vote  
17        tabulating device; and

18        ~~(7)~~~~(5)~~ "Voting system" means:

19        (a) The total combination of physical, mechanical, electromechanical, or  
20        electronic equipment, including the software, hardware, firmware, and  
21        documentation required to program, control, and support that equipment, that  
22        is used to:

23            1. Define ballots;

24            2. Cast and count votes;

25            3. Report or display election results; and

26            4. Maintain and produce any audit trail information; and

27        (b) The practices and associated documentation used to:

- 1           1. Identify system components and versions of those components;
- 2           2. Test the system during its development and maintenance;
- 3           3. Maintain record records of system errors and defects;
- 4           4. Determine specific system changes to be made to a system after the
- 5           initial qualification of the system; and
- 6           5. Make available any materials to the voter, such as notices, instructions,
- 7           forms, or paper ballots.
- 8           ➔Section 21. This Act may be cited as Ballot Access For All Citizens Act.