

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 15.243 is amended to read as follows:

- 4 (1) In addition to the other duties and powers of the Attorney General, he or she shall  
5 enforce all of the state's election laws by civil or criminal processes.
- 6 (2) The Attorney General shall:
- 7 (a) Devise and administer programs to observe the conduct of elections;
  - 8 (b) Hold public hearings;
  - 9 (c) Establish a toll-free telephone service for the purpose of receiving reports of  
10 election law violations. The service shall be operated during regular business  
11 hours throughout the year and during the hours which any poll in the state is  
12 open on the day of any primary, special election, or regular election;
  - 13 (d) Initiate investigations or investigate alleged violations of election laws at the  
14 request of a registered voter or on his or her own motion;
  - 15 (e) Issue subpoenas for the production of any books, papers, correspondence,  
16 memoranda or other records, and compel the attendance of witnesses that he  
17 or she deems relevant to the purposes of any investigation;
  - 18 (f) Present evidence of alleged violations to a grand jury; and
  - 19 (g) File appropriate complaints in any court of competent jurisdiction.
- 20 (3) (a) The Attorney General shall be required to begin an independent inquiry for  
21 any potential irregularities that may have occurred in each election in not  
22 fewer than twelve (12) of Kentucky's counties, to be selected at random in a  
23 public process, within twenty (20) days following each primary or regular  
24 election. ~~[No county shall be subject to inquiry under this subsection in two  
25 (2) consecutive elections.]~~
- 26 (b) ***The Attorney General shall promulgate administrative regulations in  
27 accordance with KRS Chapter 13A to establish a uniform procedure and***

1                   *timeline for his or her agents to follow when conducting the independent*  
 2                   *inquiries. The administrative regulations shall also designate the data and*  
 3                   *forms that shall be requested from each county that is chosen.*

4           (c) The Attorney General shall report his or her findings to the grand jury of each  
 5           county involved, ~~and to~~ the chief circuit judge for the circuit in which the  
 6           county is located, *and the appropriate county clerk.*

7           (4) When the Registry of Election Finance concludes there is probable cause to believe  
 8           a violation of election laws has occurred, it shall forward the matter to the Attorney  
 9           General for prosecution. In the event the Attorney General or local prosecutor fails  
 10          to prosecute the matter in a timely fashion, the registry's attorney may petition the  
 11          Circuit Court to be appointed as a special prosecutor. Upon such motion timely  
 12          filed, for good cause shown, the court shall enter an order to that effect.

13          (5) When requested by the Attorney General, all state and local agencies and officials,  
 14          including the Auditor of Public Accounts, Commonwealth's attorneys, county  
 15          attorneys, Registry of Election Finance, Department of Kentucky State Police,  
 16          sheriffs' departments and local police shall give all possible assistance to the  
 17          Attorney General in the performance of his or her duties.

18          ➔Section 2. KRS 117.066 is amended to read as follows:

19          (1) The county board of elections may, pursuant to KRS 117.055 and subsection (3) of  
 20          this section, designate a single voting location for more than one (1) precinct if the  
 21          voting location is equipped with voting equipment capable of providing or  
 22          accepting separate ballots without endangering the integrity of the ballots or  
 23          without violating any other election law.

24          (2) If a single voting location for more than one (1) precinct is approved under  
 25          subsection (3) of this section, the primary or election shall be conducted as follows:

26                  (a) One (1) voting equipment may be used for more than one (1) precinct if  
 27                  ballots are tabulated for each separate precinct, and if separate ballots may be

1 placed upon any voting equipment to be used without endangering the  
2 integrity of the ballots or without violating any other election law. Otherwise,  
3 separate voting equipment shall be used for each precinct. In the instance of a  
4 precinct which has a small number of voters such that the use of separate  
5 voting equipment would be cost-prohibitive, the county clerk may make  
6 application to the State Board of Elections to use supplemental paper ballots  
7 under KRS 118.215 to conduct the voting for the small precinct on any  
8 primary or election day. If the use of supplemental paper ballots is approved  
9 by the State Board of Elections, at the close of voting on any primary or  
10 election day, the locked supplemental paper ballot box shall be transported to  
11 the county board of elections along with the federal provisional ballot  
12 receptacle, and ballots shall be counted by the county board of elections as  
13 provided by KRS 117.275(10) to (16);

14 (b) Separate precinct voter rosters shall be maintained for each precinct, and steps  
15 shall be taken to ensure that voters cast their ballot in their duly authorized  
16 precinct; and

17 (c) A separate set of election forms and reports required by this chapter and the  
18 State Board of Elections shall be maintained for each precinct.

19 (3) The county board of elections may petition the State Board of Elections to allow the  
20 consolidation of precincts and the consolidation of precinct election officers at any  
21 voting location where voters of more than one (1) precinct vote. The petition shall  
22 be on a form prescribed by the State Board of Elections in administrative  
23 regulations promulgated under KRS Chapter 13A and shall include:

24 (a) A list of all precincts designated to vote at the voting location;

25 (b) The address and type of facility of the voting location;

26 (c) The number and type of voting systems or voting equipment to be used at the  
27 voting location;

- 1 (d) The number of registered voters in each precinct designated to vote at the  
2 voting location;
- 3 (e) An explanation of the reasons why the consolidation is desirable;
- 4 (f) The plan for additional precinct officers at the voting location, the manner in  
5 which they will be assigned, and whether the voting location will be fully  
6 staffed with election officials;
- 7 (g) The plan for how the county clerk will publicize the location for where the  
8 voting shall occur, in addition to how each location shall be noted  
9 conspicuously to residents of the county as a "Vote Center";~~and~~
- 10 (h) The plan for how the voting location will serve as a focal point to meet the  
11 needs of a diverse community; ***and***
- 12 ***(i) The number of parking spaces available at the location and a determination***  
13 ***as to whether the location has sufficient parking spaces.***

14 (4) If the petition submitted under subsection (3) of this section is approved by the  
15 State Board of Elections, the precinct election officers designated to serve as  
16 election officers for more than one (1) precinct shall meet the eligibility  
17 requirements of KRS 117.045.

18 ***(5) The Secretary of State shall retain veto authority over any petition that is***  
19 ***approved by the State Board of Elections. The State Board of Elections, upon***  
20 ***reconsideration of the petition, shall have the power to override a veto of the***  
21 ***Secretary of State by a three-fourths (3/4) affirmative vote of the membership of***  
22 ***the board.***

23 ➔Section 3. KRS 117.235 is amended to read as follows:

24 (1) No person, other than the election officers, challengers, person assisting voters in  
25 accordance with KRS 117.255(3), and a minor child in the company of a voter,  
26 shall be permitted within the voting room while the vote is being polled, except as  
27 follows:

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

1           *officers is being conducted during the time of the training.*

2           (e) Electioneering shall include the displaying of signs, the distribution of  
3           campaign literature, cards, or handbills, the soliciting of signatures to any  
4           petition, or the solicitation of votes for or against any bona fide candidate or  
5           ballot question in a manner which expressly advocates the election or defeat  
6           of the candidate or expressly advocates the passage or defeat of the ballot  
7           question, but shall not include exit polling, bumper stickers affixed to a  
8           person's vehicle while parked within or passing through a distance of one  
9           hundred (100) feet of any entrance to a building in which voting is conducted,  
10          private property as provided in subsection (7) of this section, or other  
11          exceptions established by the State Board of Elections through the  
12          promulgation of administrative regulations under KRS Chapter 13A.

13       (4) No voter shall be permitted to converse with others while in any room in which  
14       voting, including in-person absentee voting, is conducted concerning their support  
15       or nonsupport of any candidate, party, or issue to be voted on, except as provided in  
16       KRS 117.255.

17       (5) Any precinct election officer, county clerk, deputy county clerk, or any law  
18       enforcement official may enforce the election laws and maintain law and order at  
19       the polls and within one hundred (100) feet of any entrance to the building in which  
20       voting is conducted if that entrance is unlocked and is used by voters. Assistance  
21       may be requested of any law enforcement officer.

22       (6) Notwithstanding the provisions of subsection (1) of this section, the State Board of  
23       Elections may establish a program designed to instill in school children a respect  
24       for the democratic principles of voting by conducting in any county a mock election  
25       for school children in conjunction with any primary, regular, or special election.  
26       The State Board of Elections shall promulgate administrative regulations under  
27       KRS Chapter 13A regarding the mock elections to ensure that the regular voting

1 process will not be impaired.

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

10 ➔Section 4. KRS 117.265 is amended to read as follows:

11 (1) A voter may, at any regular or special election, cast a write-in vote for any person  
12 qualified as provided in subsection (2) or (3) of this section, whose name does not  
13 appear upon the ballot for any office, by writing the name of his or her choice upon  
14 the appropriate ballot for the office being voted on as required by KRS 117.125.  
15 Any candidate~~[ for city, county, urban county, consolidated local government,~~  
16 ~~charter county government, or unified local government office]~~ who is defeated in a  
17 partisan or nonpartisan primary shall be ineligible as a candidate for the same office  
18 in the regular election, **unless there is a vacancy pursuant to subsection (3) of**  
19 **Section 5 of this Act.** Any voter utilizing a federal provisional ballot, a federal  
20 provisional in-person absentee ballot, or a mail-in absentee ballot for a regular or  
21 special election may write in a vote for any eligible person whose name does not  
22 appear upon the ballot, by writing the name of his or her choice under the office.

23 (2) Write-in votes shall be counted only for candidates for election to office who have  
24 filed a declaration of intent to be a write-in candidate with the Secretary of State or  
25 county clerk, depending on the office being sought, on or before the fourth Friday  
26 in October preceding the date of the regular election and not later than the second  
27 Friday before the date of a special election. In the case of a special election

1 administered under KRS 118.730, a declaration of intent to be a write-in candidate  
2 shall be filed at least twenty-eight (28) days before the day of the election. The  
3 declaration of intent shall be filed no earlier than the first Wednesday after the first  
4 Monday in November of the year preceding the year the office will appear on the  
5 ballot, and no later than 4 p.m. local time at the place of filing when filed on the last  
6 date on which papers may be filed. The declaration of intent shall be on a form  
7 prescribed and furnished by the Secretary of State.

8 (3) A person shall not be eligible as a write-in candidate:

9 (a) For more than one (1) office in a regular or special election; or

10 (b) If his or her name appears upon the ballot for any office, except that the  
11 candidate may file a notice of withdrawal prior to filing an intent to be a  
12 write-in candidate for office when a vacancy in a different office occurs  
13 because of:

14 1. Death;

15 2. Disqualification to hold the office sought;

16 3. Severe disabling condition which arose after the nomination; or

17 4. The nomination of an unopposed candidate.

18 (4) Persons who wish to run for President and Vice-President shall file a declaration of  
19 intent to be a write-in candidate, along with a list of presidential electors pledged to  
20 those candidates, with the Secretary of State on or before the fourth Friday in  
21 October preceding the date of the regular election for those offices. The declaration  
22 of intent shall be filed no earlier than the first Wednesday after the first Monday in  
23 November of the year preceding the year the office will appear on the ballot, and no  
24 later than 4 p.m. local time at the place of filing when filed on the last date on  
25 which papers may be filed. Write-in votes cast for the candidates whose names  
26 appear on the ballot shall apply to the slate of pledged presidential electors, whose  
27 names shall not appear on the ballot.

1 (5) The county clerk shall provide to the precinct election officers certified lists of  
2 those persons who have filed declarations of intent as provided in subsections (2)  
3 and (3) of this section. Only write-in votes cast for qualified candidates shall be  
4 counted.

5 (6) Two (2) election officers of opposing parties shall upon the request of any voter  
6 instruct the voter on how to cast a write-in vote.

7 ➔Section 5. KRS 118.105 is amended to read as follows:

8 (1) Except as provided in subsections (3) and (4) of this section and in KRS 118.115,  
9 every political party shall nominate all of its candidates for elective offices to be  
10 voted for at any regular election at a primary held as provided in this chapter, and  
11 the governing authority of any political party shall have no power to nominate any  
12 candidate for any elective office or to provide any method of nominating candidates  
13 for any elective office other than by a primary as provided in this chapter.

14 (2) Any political organization not constituting a political party as defined in KRS  
15 118.015 may make its nominations as provided in KRS 118.325.

16 (3) If a vacancy occurs in the nomination of an unopposed candidate or in a nomination  
17 made by the primary ***more than ten (10) days*** before the certification of candidates  
18 for the regular election made under KRS 118.215, because of death~~], withdrawal,~~  
19 ~~disqualification to hold the office sought,]~~ or severe disabling condition which arose  
20 after the nomination, the governing authority of the party may provide for filling the  
21 vacancy, but only following certification to the governing authority, by the  
22 Secretary of State, that a vacancy exists for a reason specified in this subsection.  
23 When such a nomination has been made, the certificate of nomination shall be  
24 signed by the chair and secretary of the governing authority of the party making it,  
25 and shall be filed in the same manner as certificates of nomination at a primary.

26 (4) If a vacancy occurs in the nomination of an unopposed candidate or in a nomination  
27 made by the primary ***more than ten (10) days*** before the certification of candidates

1 for the regular election, and if that party's nominee was the only political party  
2 candidate for the office sought, the governing authority of each party may nominate  
3 a candidate for the regular election, provided that no person has sought that party's  
4 nomination by filing a notification and declaration.

5 (5) If a vacancy occurs in the nomination of a candidate under the conditions of  
6 subsection (3) or (4) of this section [~~prior to September 15 preceding the day of the~~  
7 ~~regular election~~], certificates of nomination for replacement candidates shall be  
8 filed in the same manner as provided in subsections (3) and (4) not later than 4 p.m.  
9 on the date of certification [~~ten (10) days after the vacancy occurs, excluding~~  
10 ~~weekends and legal holidays. If a vacancy occurs in the nomination of a candidate~~  
11 ~~under the conditions of subsection (3) or (4) of this section on or after September 15~~  
12 ~~preceding the date of the regular election, certificates of nomination for replacement~~  
13 ~~candidates shall be filed in the same manner as provided in subsections (3) and (4)~~  
14 ~~not later than 4 p.m. five (5) days after the vacancy occurs, excluding weekends and~~  
15 ~~legal holidays.~~

16 ~~(6) If a vacancy in candidacy described in subsection (5) of this section occurs later~~  
17 ~~than the second Thursday preceding the date of the regular election, no certificates~~  
18 ~~of nomination shall be filed and any candidate whose name does not appear on the~~  
19 ~~ballot may seek election by write-in voting pursuant to KRS 117.265].~~

20 ~~(6)~~ [(7)] This section does not apply to candidates for members of boards of education,  
21 or presidential electors, nor to candidates participating in nonpartisan elections.  
22 However, regardless of the number of days served by a judge acting as a Senior  
23 Status Special Judge, a judge who elected to retire as a Senior Status Special Judge  
24 in accordance with KRS 21.580 shall not become a candidate for any elected office  
25 during the five (5) year term prescribed in KRS 21.580(1)(a)1.

26 ➔Section 6. KRS 118.315 is amended to read as follows:

27 (1) A candidate for any office to be voted for at any regular election may be nominated

1 by a petition of electors qualified to vote for him or her, complying with the  
2 provisions of subsection (2) of this section. No person whose registration status is  
3 as a registered member of a political party shall be eligible to election as an  
4 independent, or political organization, or political group candidate, nor shall any  
5 person be eligible to election as an independent, or political organization, or  
6 political group candidate whose registration status was as a registered member of a  
7 political party on January 1 immediately preceding the regular election for which  
8 the person seeks to be a candidate. This restriction shall not apply to candidates to  
9 those offices specified in subsection (6) of Section 5 of this Act~~[KRS 118.105(7)]~~,  
10 for supervisor of a soil and water conservation district, for candidates for mayor or  
11 legislative body in cities of the home rule class, or to candidates participating in  
12 nonpartisan elections.

13 (2) The form of the petition shall be prescribed by the State Board of Elections. It shall  
14 be signed by the candidate and by registered voters from the district or jurisdiction  
15 from which the candidate seeks nomination. The petition shall include a  
16 declaration, sworn to by the candidate, that he or she possesses all the constitutional  
17 and statutory requirements of the office for which the candidate has filed.  
18 Signatures for a petition of nomination for a candidate seeking any office,  
19 excluding President of the United States in accordance with KRS 118.591(1), shall  
20 not be affixed on the document to be filed prior to the first Wednesday after the first  
21 Monday in November of the year preceding the year in which the office will appear  
22 on the ballot. Signatures for nomination papers shall not be affixed on the document  
23 to be filed prior to the first Wednesday after the first Monday in November of the  
24 year preceding the year in which the office will appear on the ballot. A petition of  
25 nomination for a state officer, or any officer for whom all the electors of the state  
26 are entitled to vote, shall contain five thousand (5,000) petitioners; for a  
27 representative in Congress from any congressional district, or for any officer from

1 any other district except as herein provided, four hundred (400) petitioners; for a  
2 county officer, member of the General Assembly, or Commonwealth's attorney, one  
3 hundred (100) petitioners; for a soil and water conservation district supervisor,  
4 twenty-five (25) petitioners; for a city officer or board of education member, two  
5 (2) petitioners; and for an officer of a division less than a county, except as herein  
6 provided, twenty (20) petitioners. It shall not be necessary that the signatures of the  
7 petition be appended to one (1) paper. Each petitioner shall include the date he or  
8 she affixes the signature, address of residence, and date of birth. Failure of a voter  
9 to include the signature affixation date, date of birth, and address of residence shall  
10 result in the signature not being counted. If any person joins in nominating, by  
11 petition, more than one (1) nominee for any office to be filled, he or she shall be  
12 counted as a petitioner for the candidate whose petition is filed first, except a  
13 petitioner for the nomination of candidates for soil and water conservation district  
14 supervisors may be counted for every petition to which his or her signature is  
15 affixed.

16 (3) Titles, ranks, or spurious phrases shall not be accepted on the filing papers and shall  
17 not be printed on the ballots as part of the candidate's name; however, nicknames,  
18 initials, and contractions of given names may be accepted as the candidate's name.

19 (4) The Secretary of State and county clerks shall examine the petitions of all  
20 candidates who file with them to determine whether each petition is regular on its  
21 face. If there is an error, the Secretary of State or the county clerk shall notify the  
22 candidate by certified mail within twenty-four (24) hours of filing.

23 (5) A judge who elected to retire as a Senior Status Special Judge in accordance with  
24 KRS 21.580 shall not become a candidate or a nominee for any elected office  
25 during the five (5) year term prescribed in KRS 21.580(1)(a)1., regardless of the  
26 number of days served by the judge acting as a Senior Status Special Judge.

27 ➔Section 7. KRS 119.165 is amended to read as follows:

- 1 (1) Any person who falsely personates a registered voter, and receives and casts a  
2 ballot by means of such personation, shall be guilty of a Class D felony. An attempt  
3 at such personation shall constitute a Class A misdemeanor.
- 4 (2) Any person who, by means other than falsely personating a registered voter, votes  
5 at an election in this state when he is a resident of another state or country, or votes  
6 more than once at an election, or votes by use of the naturalization papers of  
7 another person, shall be guilty of a Class D felony. Any person who knowingly  
8 votes or attempts to vote in a precinct other than the one in which he resides shall  
9 be guilty of a Class A misdemeanor, unless by voting in a precinct in which he does  
10 not live he is enabled to vote in a race or on a matter in which he could not vote in  
11 his proper precinct in which case he shall be guilty of a Class D felony. Any person  
12 who lends or hires his or another's naturalization papers to be used for the purpose  
13 of voting shall be subject to the same penalty.
- 14 (3) **Any person lawfully registered to vote who is then convicted of a felony offense**  
15 **and has not previously been restored to their voting rights who then knowingly**  
16 **votes or attempts to vote shall be guilty of a Class D felony.**
- 17 **(4)** Any resident of this state who, by means other than falsely personating a registered  
18 voter, votes at a regular or special election before he has resided in this state thirty  
19 (30) days, or in the county and precinct where the election is held the time required  
20 by law, or before he has attained full age, or before he has become a citizen, shall  
21 be guilty of a Class B misdemeanor.
- 22 ~~(5)~~~~(4)~~ Any person who, by means other than falsely personating a registered voter,  
23 votes in a primary election knowing that he is not qualified as provided in KRS  
24 116.055, shall be guilty of a violation.
- 25 ~~(6)~~~~(5)~~ Any person who applies for or receives a ballot at any voting place other than  
26 the one at which he is entitled to vote, under circumstances not constituting a  
27 violation of any of the provisions of subsections (1) to ~~(3)~~~~(4)~~ of this section, shall

1 be guilty of a Class A misdemeanor.

2 ➔Section 8. KRS 121.175 is amended to read as follows:

- 3 (1) No candidate, committee, or contributing organization shall permit funds in a  
4 campaign account to be expended for any purpose other than for allowable  
5 campaign expenditures. "Allowable campaign expenditures" means expenditures  
6 including reimbursement for actual expenses, made directly and primarily in  
7 support of or opposition to a candidate, constitutional amendment, or public  
8 question which will appear on the ballot and includes, but is not limited to,  
9 expenditures for staff salaries, gifts and meals for volunteer campaign workers,  
10 food and beverages provided at a campaign rally, advertising, office space,  
11 necessary travel if reported, campaign paraphernalia, purchases of advertisements  
12 in athletic and scholastic publications, communications with constituents or  
13 prospective voters, polling and consulting, printing, graphic arts, or advertising  
14 services, postage, office supplies, stationery, newsletters, and equipment which is  
15 used primarily for the administration of the campaign, or for fees incurred from  
16 legal services while defending a matter before the Kentucky Legislative Ethics  
17 Commission in which the final adjudication is rendered in favor of the candidate.  
18 "Allowable campaign expenditures" does not include necessary travel unless  
19 reported, expenditures of funds in a campaign account for any purpose made  
20 unlawful by other provisions of the Kentucky Revised Statutes or which would  
21 bestow a private pecuniary benefit, except for payment of the reasonable value of  
22 goods and services provided upon a candidate, member of the candidate's family,  
23 committee, or contributing organization, or any of their employees, paid or unpaid,  
24 including: tickets to an event which is unrelated to a political campaign or  
25 candidacy; items of personal property for distribution to prospective voters except  
26 items bearing the name, likeness, or logo of a candidate or a campaign-related  
27 communication; expenditures to promote or oppose a candidacy for a leadership

1 position in a governmental, professional, or political organization, or other entity;  
2 and equipment or appliances the primary use of which is for purposes outside of the  
3 campaign. The provisions of KRS 121.190 notwithstanding, a candidate shall not be  
4 required to include a disclaimer on campaign stationery purchased with funds from  
5 his campaign account. A member of the General Assembly may utilize funds in his  
6 or her campaign account to contribute up to five thousand dollars (\$5,000) per year  
7 to a political party or caucus campaign committee. A member of the General  
8 Assembly may make allowable campaign expenditures in both election years and  
9 nonelection years.

10 (2) By December 31, 1993, the registry shall promulgate administrative regulations to  
11 implement and enforce the provisions of subsection (1) of this section.

12 (3) In lieu of the penalties provided in KRS 121.140 and 121.990 for a violation of this  
13 section, the registry may, after hearing:

14 (a) For a violation which was not committed knowingly, order the violator to  
15 repay the amount of campaign funds which were expended for other than  
16 allowable campaign expenditures, and if not repaid within thirty (30) days,  
17 may impose a fine of up to one hundred dollars (\$100) for each day the  
18 amount is not repaid, up to a maximum fine of one thousand dollars (\$1,000);  
19 and

20 (b) For a violation which was committed knowingly, in addition to referring the  
21 matter for criminal prosecution, order the violator to repay the amount of  
22 campaign funds which were expended for other than allowable campaign  
23 expenditures, and if not repaid within thirty (30) days, may impose a fine of  
24 up to one hundred dollars (\$100) for each day the amount is not repaid, up to  
25 a maximum fine of one thousand dollars (\$1,000).

26 ➔Section 9. KRS 121.180 is amended to read as follows:

27 (1) (a) Any candidate, slate of candidates, or political issues committee shall be

1 exempt from filing any campaign finance reports required by subsections (3)  
2 and (4) of this section if the candidate, slate of candidates, or political issues  
3 committee chair files a form prescribed and furnished by the registry stating  
4 that currently no contributions have been received and that contributions will  
5 not be accepted or expended in excess of three thousand dollars (\$3,000) in  
6 any one (1) election. A separate form shall be required for each primary,  
7 regular, or special election in which the candidate or slate of candidates  
8 participates or in which the public question appears on the ballot. The form  
9 shall be submitted by means of electronic filing with the registry.

10 (b) For a primary, a candidate or slate of candidates shall file a request for  
11 exemption not later than the deadline for filing nomination papers and, except  
12 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be  
13 bound by its terms unless it is rescinded in writing not later than thirty (30)  
14 days preceding the primary. For a regular election, a candidate or slate of  
15 candidates shall file or rescind in writing a request for exemption not later  
16 than sixty (60) days preceding the regular election, except as provided in  
17 subparagraph 2. of paragraph (c) of this subsection. For a special election, a  
18 candidate or slate of candidates shall file a request for exemption not later  
19 than ten (10) days after the candidate or slate of candidates is nominated for a  
20 special election and shall be bound by its terms unless it is rescinded in  
21 writing not later than thirty (30) days preceding the special election. A  
22 political issues committee chair shall file a request for exemption when the  
23 committee registers with the registry and shall be bound by its terms unless it  
24 is rescinded in writing not later than thirty (30) days preceding the date the  
25 issue appears on the ballot.

26 (c) 1. A candidate or slate of candidates that revokes a request for exemption  
27 in a timely manner shall file all reports required of a candidate intending

1 to raise or spend in excess of three thousand dollars (\$3,000) in an  
2 election. To revoke the request for an exemption, the candidate or slate  
3 of candidates shall file the appropriate form with the registry not later  
4 than the deadline for filing a revocation.

5 2. A candidate or slate of candidates that is exempted from campaign  
6 finance reporting requirements pursuant to paragraph (a) of this  
7 subsection but who accepts contributions or makes expenditures in  
8 excess of the exempted amount in an election, shall file all applicable  
9 reports required for the remainder of that election, based upon the  
10 amount of contributions or expenditures the candidate or slate of  
11 candidates accepts or receives in that election.

12 (d) Any candidate or slate of candidates that is subject to a June or August filing  
13 deadline and that intends to execute a request for exemption shall file the  
14 appropriate request for exemption not later than the filing deadline and, except  
15 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be  
16 bound by its terms unless it is rescinded in writing not later than sixty (60)  
17 days preceding the regular election. A candidate or slate of candidates that is  
18 covered by this paragraph shall have the same reversion rights as those  
19 provided in subparagraph 1. of paragraph (c) of this subsection.

20 (e) Any candidate or slate of candidates that will appear on the ballot in a regular  
21 election that has signed a request for exemption for that election may exercise  
22 the reversion rights provided in subparagraph 1. of paragraph (c) of this  
23 subsection if a candidate or slate of candidates that is subject to a June or  
24 August filing deadline subsequently files in opposition to the candidate or  
25 slate of candidates. Except as provided in subparagraph 2. of paragraph (c) of  
26 this subsection, a candidate or slate of candidates covered by this paragraph  
27 shall comply with the deadline for rescission provided in subparagraph 1. of

1 paragraph (c) of this subsection.

2 (f) Except as provided in subparagraph 2. of paragraph (c) of this subsection, any  
3 candidate or slate of candidates that has filed a request for exemption for a  
4 regular election that later is opposed by a person who has filed a declaration  
5 of intent to receive write-in votes may rescind the request for exemption and  
6 exercise the reversion rights provided in subparagraph 1. of paragraph (c) of  
7 this subsection.

8 (g) Any candidate or slate of candidates that has filed a request for exemption  
9 may petition the registry to determine whether another person is campaigning  
10 as a write-in candidate prior to having filed a declaration of intent to receive  
11 write-in votes, and, if the registry determines upon a preponderance of the  
12 evidence that a person who may later be a write-in candidate is conducting a  
13 campaign, the candidate or slate of candidates, except as provided in  
14 subparagraph 2. of paragraph (c) of this subsection, may petition the registry  
15 to permit the candidate or slate of candidates to exercise the reversion rights  
16 provided in subparagraph 1. of paragraph (c) of this subsection.

17 (h) If the opponent of a candidate or slate of candidates is replaced due to his or  
18 her withdrawal because of death, disability, or disqualification, the candidate  
19 or slate of candidates, except as provided in subparagraph 2. of paragraph (c)  
20 of this subsection, may exercise the reversion rights provided in subparagraph  
21 1. of paragraph (c) of this subsection not later than fifteen (15) days after the  
22 party executive committee nominates a replacement for the withdrawn  
23 candidate or slate of candidates.

24 (i) A person intending to be a write-in candidate for any office in a regular or  
25 special election may execute a request for exemption under paragraph (a) of  
26 this subsection and shall be bound by its terms unless it is rescinded in writing  
27 not later than fifteen (15) days preceding the regular or special election. A

1 person intending to be a write-in candidate who revokes a request for  
2 exemption in a timely manner shall file all reports required of a candidate  
3 intending to raise or spend in excess of three thousand dollars (\$3,000) in an  
4 election. Except as provided in subparagraph 2. of paragraph (c) of this  
5 subsection, a person intending to be a write-in candidate who revokes a  
6 request for exemption shall file the appropriate form with the registry.

7 (j) Except as provided in subparagraph 2. of paragraph (c) of this subsection, the  
8 campaign committee of any candidate or slate of candidates that has filed a  
9 request for exemption or a political issues committee whose chair has filed a  
10 request for exemption shall be bound by its terms unless it is rescinded in a  
11 timely manner.

12 (k) 1. Except as provided in subparagraph 2. of paragraph (c) of this  
13 subsection, any candidate, slate of candidates, or political issues  
14 committee that is exempt from filing campaign finance reports pursuant  
15 to paragraph (a), (d), or (i) of this subsection that accepts contributions  
16 or makes expenditures, or whose campaign treasurer accepts  
17 contributions or makes expenditures, in excess of the applicable limit in  
18 any one (1) election without rescinding the request for exemption in a  
19 timely manner shall comply with all applicable reporting requirements  
20 and, in lieu of other penalties prescribed by law, pay a fine of not less  
21 than five hundred dollars (\$500).

22 2. Except as provided in subparagraph 2. of paragraph (c) of this  
23 subsection, a candidate, slate of candidates, campaign committee, or  
24 political issues committee that is exempt from filing campaign finance  
25 reports pursuant to paragraph (a), (d), or (i) of this subsection that  
26 knowingly accepts contributions or makes expenditures in excess of the  
27 applicable spending limit in any one (1) election without rescinding the

1 request for exemption in a timely manner shall comply with all  
2 applicable reporting requirements and shall be guilty of a Class D  
3 felony.

- 4 (l) 1. Any candidate exempt from filing under this subsection for a primary  
5 shall file a report described in subsection (4) of this section.
- 6 2. Any candidate exempt from filing under this subsection for a primary  
7 who advances to the regular election shall file for an additional  
8 exemption under this section for the regular election or the candidate  
9 shall no longer be exempt from the filing requirements.
- 10 3. In the event a candidate exempt from filing under this subsection is no  
11 longer eligible for the exemption, he or she shall immediately file for a  
12 revocation of the exemption under paragraph (c) of this subsection.
- 13 (2) (a) State and county executive committees, and caucus campaign committees  
14 shall make a full report, upon a prescribed form, to the registry, of all money,  
15 loans, or other things of value, received from any source, and expenditures  
16 authorized, incurred, or made, since the date of the last report, including:
- 17 1. For each contribution of any amount made by a permanent committee,  
18 the name and business address of the permanent committee, the date of  
19 the contribution, the amount contributed, and a description of the major  
20 business, social, or political interest represented by the permanent  
21 committee;
- 22 2. For other contributions in excess of one hundred dollars (\$100), the full  
23 name, address, age if less than the legal voting age, the date of the  
24 contribution, the amount of the contribution, and the employer and  
25 occupation of each contributor. If the contributor is self-employed, the  
26 name under which he or she is doing business shall be listed;
- 27 3. The total amount of cash contributions received during the reporting

1 period; and

2 4. A complete statement of expenditures authorized, incurred, or made.  
3 The complete statement of expenditures shall include the name and  
4 address of each person to whom an expenditure is made in excess of  
5 twenty-five dollars (\$25), and the amount, date, and purpose of each  
6 expenditure.

7 (b) In addition to the reporting requirements in paragraph (a) of this subsection,  
8 the state executive committee of a political party that has established a  
9 building fund account under KRS 121.172 shall make a full report, upon a  
10 prescribed form, to the registry, of all contributions received from any source,  
11 and expenditures authorized, incurred, or made, since the date of the last  
12 report for the separate building fund account, including:

13 1. For each contribution of any amount made by a corporation, the name  
14 and business address of the corporation, the date of the contribution, the  
15 amount contributed, and a description of the major business conducted  
16 by the corporation;

17 2. For other contributions in excess of one hundred dollars (\$100), the full  
18 name and address of the contributor, the date of the contribution, the  
19 amount of the contribution, and the employer and occupation of each  
20 contributor. If the contributor is self-employed, the name under which  
21 he or she is doing business shall be listed;

22 3. The total amount of cash contributions received during the reporting  
23 period; and

24 4. A complete statement of expenditures authorized, incurred, or made.  
25 The complete statement of expenditures shall include the name and  
26 address of each person to whom an expenditure is made in excess of  
27 twenty-five dollars (\$25), and the amount, date, and purpose of each

1 expenditure.

- 2 (c) The report required by paragraph (a) of this subsection shall be made on a  
3 semiannual basis if the committee has more than ten thousand dollars  
4 (\$10,000) in its campaign fund account, and shall be received by the registry  
5 by January 31 and by July 31. The January report shall cover the period from  
6 July 1 to December 31. The July report shall cover the period from January 1  
7 to June 30. If the committee has less than ten thousand dollars (\$10,000) in  
8 its campaign fund account the report required by paragraph (a) of this  
9 subsection shall be made on an annual basis, and shall be received by the  
10 registry by January 31. If an individual gives a reportable contribution to a  
11 caucus campaign committee or to a state or county executive committee with  
12 the intention that the contribution or a portion of the contribution go to a  
13 candidate or slate of candidates, the name of the contributor and the sum shall  
14 be indicated on the committee report. The report required by paragraph (b) of  
15 this subsection relating to a state executive committee's building fund account  
16 shall be received by the registry within two (2) business days after the close of  
17 each calendar quarter. The receipts and expenditures of funds remitted to each  
18 political party under KRS 141.071 to 141.073 shall be separately accounted  
19 for and reported to the registry in the manner required by KRS 121.230. The  
20 separate report may be made a separate section within the report required by  
21 this subsection to be received by the registry by January 31.
- 22 (3) (a) Except for candidates or slates of candidates, campaign committees, or  
23 political issues committees exempted from reporting requirements pursuant to  
24 subsection (1) of this section, each campaign treasurer of a candidate, slate of  
25 candidates, campaign committee, or political issues committee who accepts  
26 contributions or expends, expects to accept contributions or expend, or  
27 contracts to expend more than three thousand dollars (\$3,000) in any one (1)

1 election, and each fundraiser who secures contributions in excess of three  
2 thousand dollars (\$3,000) in any one (1) election, shall make a full report to  
3 the registry, on a form provided or using a format approved by the registry, of  
4 all money, loans, or other things of value, received from any source, and  
5 expenditures authorized, incurred, and made, since the date of the last report,  
6 including:

- 7 1. For each contribution of any amount made by a permanent committee,  
8 the name and business address of the permanent committee, the date of  
9 the contribution, the amount contributed, and a description of the major  
10 business, social, or political interest represented by the permanent  
11 committee;
- 12 2. For each contribution in excess of one hundred dollars (\$100) made to  
13 any candidate or campaign committee or a political issues committee,  
14 the full name, address, age if less than the legal voting age, the date of  
15 the contribution, the amount of the contribution, and the employer and  
16 occupation of each other contributor. If the contributor is self-employed,  
17 the name under which he or she is doing business shall be listed;
- 18 3. The total amount of cash contributions received during the reporting  
19 period; and
- 20 4. A complete statement of all expenditures authorized, incurred, or made.  
21 The complete statement of expenditures shall include the name, address,  
22 and occupation of each person to whom an expenditure is made in  
23 excess of twenty-five dollars (\$25), and the amount, date, and purpose  
24 of each expenditure.

25 (b) Reports of all candidates, slates of candidates, campaign committees, political  
26 issues committees, and registered fundraisers shall be made as follows:

- 27 1. a. Candidates seeking statewide office, slates of candidates,

1 authorized campaign committees for candidates seeking statewide  
2 office and for slates of candidates, unauthorized campaign  
3 committees, political issues committees, and fundraisers which  
4 register before the year of an election in which the candidate, a  
5 slate of candidates, or public question shall appear on the ballot,  
6 shall file financial reports with the registry at the end of the first  
7 calendar quarter after persons become statewide candidates or  
8 slates of candidates, or following registration of the committee or  
9 fundraiser, and each calendar quarter thereafter, ending with the  
10 last calendar quarter of that year. The provisions of this  
11 subparagraph shall be retroactive to January 1, 2021;

12 b. All other candidates and candidate campaign committees shall file  
13 annual financial reports to be received by the registry on or before  
14 December 1 for each year that a candidate is not yet on the ballot  
15 but has filed a Statement of Spending Intent and Appointment of  
16 Campaign Treasurer with the registry for a future-year election;  
17 and

18 c. Candidates, slate of candidates, or committees shall make all  
19 reports required by subparagraphs 2. to 5. of this paragraph during  
20 the year in which the election takes place;

21 2. All candidates, slates of candidates, candidate-authorized and  
22 unauthorized campaign committees, political issues committees, and  
23 registered fundraisers shall make reports on the sixtieth day preceding a  
24 regular election, including all previous contributions and expenditures;

25 3. All candidates, slates of candidates, candidate-authorized and  
26 unauthorized campaign committees, political issues committees, and  
27 registered fundraisers shall make reports on the thirtieth day preceding

1 an election, including all previous contributions and expenditures;

2 4. All candidates, slates of candidates, candidate-authorized and  
3 unauthorized campaign committees, political issues committees, and  
4 registered fundraisers shall make reports on the fifteenth day preceding  
5 the date of the election; and

6 5. All reports to the registry shall cover campaign activity during the entire  
7 reporting period and must be received by the registry within two (2)  
8 business days after the date the reporting period ends to be deemed  
9 timely filed.

10 (4) Except for candidates, slates of candidates, and political issues committees,  
11 exempted pursuant to subsection (1)(a) of this section, all candidates, regardless of  
12 funds received or expended, candidate-authorized and unauthorized campaign  
13 committees, political issues committees, and registered fundraisers shall make post-  
14 election reports within thirty (30) days after the election. All post-election reports to  
15 the registry shall cover campaign activity during the entire reporting period and  
16 must be received by the registry within two (2) business days after the date the  
17 reporting period ends to be deemed timely filed.

18 (5) In making the preceding reports, the total gross receipts from each of the following  
19 categories shall be listed: proceeds from the sale of tickets for events such as  
20 testimonial affairs, dinners, luncheons, rallies, and similar fundraising events, mass  
21 collections made at the events, and sales of items such as campaign pins, buttons,  
22 hats, ties, literature, and similar materials. When any individual purchase or the  
23 aggregate purchases of any item enumerated above from a candidate or slate of  
24 candidates for a statewide-elected state office or a campaign committee for a  
25 candidate or slate of candidates for a statewide-elected state office exceeds one  
26 hundred dollars (\$100), the purchaser shall be identified by name, address, age, if  
27 less than the legal voting age, occupation, and employer or, if the purchaser is self-

1 employed, the name under which he or she is doing business, and the amount of the  
2 purchase. When any individual purchase or the aggregate purchases of any item  
3 enumerated above from any candidate or campaign committee other than a  
4 candidate or slate of candidates for a statewide-elected state office or campaign  
5 committee for a candidate or slate of candidates for a statewide-elected state office  
6 exceeds one hundred dollars (\$100), the purchaser shall be identified by name,  
7 address, age if less than the legal voting age, occupation, and employer or, if the  
8 purchaser is self-employed, the name under which he or she is doing business, and  
9 the amount of the purchase. The lists shall be maintained by the campaign treasurer,  
10 political issues committee treasurer, registered fundraiser, or other sponsor for  
11 inspection by the registry for six (6) years following the date of the election.

12 (6) Each permanent committee, except a federally registered permanent committee,  
13 inaugural committee, or contributing organization shall make a full report to the  
14 registry, on a form provided or using a format approved by the registry, of all  
15 money, loans, or other things of value, received by it from any source, and all  
16 expenditures authorized, incurred, or made, since the date of the last report,  
17 including:

18 (a) For each contribution of any amount made by a permanent committee, the  
19 name and business address of the permanent committee, the date of the  
20 contribution, the amount contributed, and a description of the major business,  
21 social, or political interest represented by the permanent committee;

22 (b) For other contributions in excess of one hundred dollars (\$100), the full name,  
23 address, age if under the legal voting age, the date of the contribution, the  
24 amount of the contribution, and the employer and occupation of each  
25 contributor. If the contributor is self-employed, the name under which he or  
26 she is doing business shall be listed;

27 (c) An aggregate amount of cash contributions, the amount contributed by each

- 1 contributor, and the date of each contribution; and
- 2 (d) A complete statement of all expenditures authorized, incurred, or made,  
3 including independent expenditures. This report shall be made by a permanent  
4 committee, inaugural committee, or contributing organization to the registry  
5 on the last day of the first calendar quarter following the registration of the  
6 committee with the registry and on the last day of each succeeding calendar  
7 quarter until such time as the committee terminates. A contributing  
8 organization shall file a report of contributions received and expenditures on a  
9 form provided or using a format approved by the registry not later than the  
10 last day of each calendar quarter in which contributions are received or  
11 expenditures are made. All reports to the registry shall be received on or  
12 before each filing deadline, and any report received by the registry within two  
13 (2) business days after each filing deadline shall be deemed timely filed.
- 14 (7) If the final statement of a candidate, campaign committee, or political issues  
15 committee shows an unexpended balance of contributions, continuing debts and  
16 obligations, or an expenditure deficit, the campaign treasurer shall file with the  
17 registry a supplemental statement of contributions and expenditures not more than  
18 thirty (30) days after the deadline for filing the final statement. Subsequent  
19 supplemental statements shall be filed annually, to be received by the registry by  
20 December 1 of each year, until the account shows no unexpended balance,  
21 continuing debts and obligations, expenditures, or deficit. All post-election reports  
22 to the registry shall cover campaign activity during the entire reporting period and  
23 must be received by the registry within two (2) business days after the date the  
24 reporting period ends to be deemed timely filed. All contributions shall be subject  
25 to KRS 121.150 as of the date of the election in which the candidate appeared on  
26 the ballot.
- 27 (8) All reports filed under the provisions of this chapter shall be a matter of public

1 record open to inspection by any member of the public immediately upon receipt of  
2 the report by the registry.

3 (9) A candidate or slate of candidates is relieved of the duty personally to file reports  
4 and keep records of receipts and expenditures if the candidate or slate states in  
5 writing or on forms provided by the registry that:

6 (a) Within five (5) business days after personally receiving any contributions, the  
7 candidate or slate of candidates shall surrender possession of the contributions  
8 to the treasurer of their principal campaign committee without expending any  
9 of the proceeds thereof. No contributions shall be commingled with the  
10 candidate's or slated candidates' personal funds or accounts. Contributions  
11 received by check, money order, or other written instrument shall be endorsed  
12 directly to the campaign committee and shall not be cashed or redeemed by  
13 the candidate;

14 (b) The candidate or slate of candidates shall not make any unreimbursed  
15 expenditure for the campaign, except that this paragraph does not preclude a  
16 candidate or slate from making an expenditure from personal funds to the  
17 designated principal campaign committee, which shall be reported by the  
18 committee as a contribution received; and

19 (c) The waiver shall continue in effect as long as the candidate or slate of  
20 candidates complies with the conditions under which it was granted.

21 (10) (a) No candidate, slate of candidates, campaign committee, political issues  
22 committee, or contributing organization shall use or permit the use of  
23 contributions or funds solicited or received for the person or in support of or  
24 opposition to a public issue which will appear on the ballot to:

- 25 1. Further the candidacy of the person for a different public office;
- 26 2. Support or oppose a different public issue; or
- 27 3. Further the candidacy of any other person for public office.

- 1           (b) Nothing in this subsection shall be deemed to prohibit a candidate or slate of  
2 candidates from using funds in a campaign account to purchase admission  
3 tickets for, or contribute to, any fundraising event or testimonial affair for  
4 another candidate or slate of candidates if the amount of the purchase or  
5 contribution does not exceed two hundred dollars (\$200) per event or affair.
- 6           (c) Any funds or contributions solicited or received by or on behalf of a  
7 candidate, slate of candidates, or any committee, which has been organized in  
8 whole or in part to further any candidacy for the same person or to support or  
9 oppose the same public issue, shall be deemed to have been solicited or  
10 received for the current candidacy or for the election on the public issue if the  
11 funds or contributions are solicited or received at any time prior to the regular  
12 election for which the candidate, slate of candidates, or public issue is on the  
13 ballot.
- 14           (d) Any unexpended balance of funds not otherwise obligated for the payment of  
15 expenses incurred to further a political issue or the candidacy of a person  
16 shall, in whole or in part, at the election of the candidate or committee:
- 17           1. Escheat to the State Treasury;
  - 18           2. Be returned pro rata to all contributors;
  - 19           3. In the case of a partisan candidate, be transferred to:
    - 20           a. A caucus campaign committee; or
    - 21           b. The state or county executive committee of the political party of  
22           which the candidate is a member;
  - 23           4. Be retained to further the same public issue or to seek election to the  
24           same office; or
  - 25           5. Be donated to any charitable, nonprofit, or educational institution  
26           recognized under Section 501(c)(3) of the United States Internal  
27           Revenue Code of 1986, as amended, and any successor thereto, from



1 carried forward from the last report but need not specify receipts or  
2 expenditures in further detail.