

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) "Election" or "elections" means any primary, regular election, or special*
18 *election;*
- 19 *(4) "Multilingual ballot" or "multilingual absentee ballot" means a ballot that is*
20 *fully translated into a language other than English, or both English and a*
21 *language other than English, for each language in the state that has at least two*
22 *thousand (2,000) citizens who are seventeen (17) years or older who speak*
23 *English less than very well, as determined by the United States Bureau of the*
24 *Census American Community Survey or comparable Census data;*
- 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 ~~Unless the~~
 5 ~~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
 23 that 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 **website 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
15 a political party, political organization, or political group as defined in KRS
16 118.015, or independent status, as indicated by the voter on the voter registration
17 form, into the statewide voter registration system. The State Board of Elections
18 shall 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 ~~(10)~~~~(9)~~ For purposes of voter registration, no county clerk, governmental body of any
22 city, county, urban-county government, consolidated local government, unified
23 local government, charter county government, or any employee thereof, shall accept
24 any private monetary funds to assist with voter registration activities unless
25 accepted as part of a valid contract for goods and services.

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

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

- 1 (1) ***"Absentee ballot" means any ballot used to cast a vote during an election at a***
2 ***time other than the day of an election, which may include a mail-in absentee***
3 ***ballot, in-person absentee ballot, a federal provisional absentee ballot, and a***
4 ***multilingual absentee ballot;***
- 5 ~~(2)~~~~(1)~~ "Audit log" means a detailed record of all actions and events that have
6 occurred on the voting system, including:
7 (a) Log-in attempts with username and time stamp;
8 (b) Election definition and setup;
9 (c) Ballot preparation and results processing;
10 (d) Diagnostics of any type; and
11 (e) Error and warning messages and operator response;
- 12 ~~(3)~~~~(2)~~ "Automatic tabulating equipment" means apparatus necessary to
13 automatically examine and count votes as designated on ballots and data processing
14 machines which can be used for counting ballots and tabulating results;
- 15 ~~(4)~~~~(3)~~ "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 federal provisional ballot, a federal provisional absentee
19 ballot, ***a multilingual ballot, a multilingual absentee ballot,*** or a supplemental
20 paper ballot which has been authorized for the use of voters in any primary, regular
21 election, or special election by the Secretary of State or the county clerk;
- 22 ~~(5)~~~~(4)~~ "Ballot box" means any box, bag, or other container that can be locked,
23 sealed, or otherwise rendered tamper-resistant, for receiving ballots;
- 24 ~~(6)~~~~(5)~~ "Ballot marking device" means any approved device for marking a ballot
25 which will enable the ballot to be tabulated manually or by means of automatic
26 tabulating equipment;
- 27 ~~(7)~~~~(6)~~ "Election" or "elections" means any primary, regular election, or special

1 election;

2 ~~(8)~~~~(7)~~ "Election officer" has the same meaning as in KRS 118.015;

3 ~~(9)~~~~(8)~~ "E-poll book" means an electronic device capable of holding a file of voter
4 data and related information for use in identifying registered voters prior to a voter's
5 receiving or casting a ballot, and allowing a voter to electronically sign in on an
6 electronic registered voter roster in lieu of signing a paper registered voter roster;

7 ~~(10)~~~~(9)~~ "Federal provisional voter" means a person:

8 (a) Who does not appear to be registered to vote;

9 (b) Whose name does not appear on the precinct roster;

10 (c) Who has not provided proof of identification to the precinct election officer
11 before voting in a federal election; and

12 (d) Who elects to proceed with voting a federal provisional ballot under KRS
13 117.229;

14 ~~(11)~~~~(10)~~ "Federal provisional ballot" or "federal provisional absentee ballot" means
15 ballots which have been authorized by the Secretary of State or the county clerk to
16 be used by federal provisional voters in any federal primary or election;

17 ~~(12)~~~~(11)~~ "Inner envelope" or "secrecy envelope" means the envelope provided to the
18 voter with a ballot into which the voter shall place his or her voted ballot;

19 ~~(13)~~~~(12)~~ **"Multilingual ballot" or "multilingual absentee ballot" means a ballot that**
20 **is fully translated into a language other than English, or both English and a**
21 **language other than English, for each language in the state that has at least two**
22 **thousand (2,000) citizens who are seventeen (17) years or older who speak**
23 **English less than very well, as determined by the United States Bureau of the**
24 **Census American Community Survey or comparable Census data;**

25 ~~(14)~~ **"Multilingual ballot hotline" means a telephone hotline that provides access to a**
26 **qualified translator or interpreter in each of the languages in the state that has at**
27 **least two thousand (2,000) citizens who are seventeen (17) years or older who**

1 speak English less than very well, as determined by the United States Bureau of
2 the Census American Community Survey or comparable Census data;

3 (15) "Multilingual voter registration form" means a voter registration form that is
4 fully translated into a language other than English, or both English and a
5 language other than English, for each language in the state that has at least two
6 thousand (2,000) citizens who are seventeen (17) years or older who speak
7 English less than very well, as determined by the United States Bureau of the
8 Census American Community Survey or comparable Census data;

9 (16) "Political group" has the same meaning as in KRS 118.015;

10 ~~(17)~~~~[(13)]~~ "Political organization" has the same meaning as in KRS 118.015;

11 ~~(18)~~~~[(14)]~~ "Precinct ballot counter" means an automatic tabulating device used at the
12 precinct to tabulate and process ballots;

13 ~~(19)~~~~[(15)]~~ "Proof of identification" means a document that was issued by:

14 (a) The United States or the Commonwealth of Kentucky, 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;

18 (b) The United States Department of Defense, a branch of the uniformed services,
19 the Merchant Marine, or the Kentucky National Guard, and the document
20 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 (c) A public or private college, university, or postgraduate technical or
24 professional school located within the United States, and the document
25 contains:

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

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

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

6 **(20) "Qualified translator" or "interpreter" means a translator or interpreter, as**
7 **determined by the State Board of Elections, who is:**

8 **(a) Screened and tested for proficiency in both verbal and written English, and**
9 **the required language, with affiliation or accreditation by a nationally**
10 **recognized association of translators, or has other credentials or**
11 **certifications that are comparable to or exceed the standards used by a**
12 **nationally recognized association of translators; and**

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

15 **(21)**~~[(16)] "Risk-limiting audit" means an audit protocol that makes use of statistical
16 principles and methods and is designed to limit to acceptable levels the risk of
17 certifying a preliminary election outcome that constitutes an incorrect outcome;~~

18 **(22) "Voter" means any name contained in any voter registration list;**

19 **(23)**~~[(17)] "Voting booth" or "ballot completion area" means an area in which a voter
20 casts his or her vote or completes his or her ballot which is designed to ensure the
21 secrecy of the vote;~~

22 **(24)**~~[(18)] "Vote center" means a consolidated precinct of the county;~~

23 **(25)**~~[(19)] "Voting equipment" means any physical component of a voting system and
24 includes voting machines where voting machines are in operation;~~

25 **(26)**~~[(20)] "Voting machine" or "machine":~~

26 (a) Means a part of a voting system that consists of:

- 27 1. A direct recording electronic voting machine that:

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

12 (b) Does not include an e-poll book;

13 ~~(27)~~~~(21)~~ "Voting system":

14 (a) Means the total combination of physical, mechanical, electromechanical, or

15 electronic equipment, including the software, hardware, firmware, and

16 documentation required to program, control, and support that equipment, that

17 is used to:

- 18 1. Define ballots;
 - 19 2. Cast and count votes;
 - 20 3. Report or display election results; and
 - 21 4. Maintain and produce any audit trail information;
- 22 (b) Includes the practices and associated documentation used to:
- 23 1. Identify system components and versions of those components;
 - 24 2. Test the system during its development and maintenance;
 - 25 3. Maintain records of system errors and defects;
 - 26 4. Determine specific system changes to be made to a system after the
 - 27 initial qualification of the system;

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

3 (c) Does not include an e-poll book; and

4 ~~(28)~~~~(22)~~ "Voter-verified paper audit trail" means a contemporaneous paper record of a
5 ballot printed for the voter to confirm his or her votes before the voter casts his or
6 her ballot that:

7 (a) Allows the voter to verify the voter's ballot choices before the casting of the
8 voter's ballot;

9 (b) Is not retained by the voter;

10 (c) Does not contain individual voter information;

11 (d) Is produced on paper that is sturdy, clean, and resistant to degradation; and

12 (e) Is readable in a manner that makes the voter's ballot choices obvious to the
13 voter or any person without the use of computer or electronic code.

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

15 (1) The State Board of Elections shall appoint an executive director, who shall be the
16 chief administrative officer for the board. The board shall also appoint an assistant
17 director, who shall be of a different political party than the director. The salaries of
18 the director and the assistant director shall be set by the board.

19 (2) The State Board of Elections shall employ, on a bipartisan basis, a staff sufficient to
20 carry out the duties assigned to the board, including legal counsel and a training
21 officer to provide assistance to the county clerks and the county boards of elections
22 in their training of precinct election officers.

23 (3) The board shall:

24 (a) Maintain a complete roster of all qualified registered voters within the state by
25 county and precinct, and institute appropriate safeguards to ensure that there is
26 no inappropriate use of the voter registration roster. State and local election
27 officials, including the Secretary of State, employees of the Secretary, and

- 1 members of the State Board of Elections and their staff, shall only use the
2 voter registration roster for purposes relevant to their prescribed duties of
3 election administration. The Secretary of State, and two (2) employees of the
4 Secretary, who may be designated by the Secretary with explicit written
5 authority and notification to the board, shall have electronic access to the
6 information contained within the voter registration roster, but shall not
7 correct, alter, or delete information from the voter registration roster, unless
8 having obtained prior approval by a majority of the voting members of the
9 board;
- 10 (b) For each primary, furnish each county clerk with a master list of all registered
11 voters in the county, together with three (3) signature rosters of all registered
12 voters in each precinct of the county according to party affiliation, and two (2)
13 lists of all registered voters in each precinct of the county at least eighteen
14 (18) days prior to each primary;
- 15 (c) For each regular election, furnish each county clerk with a master list of all
16 registered voters in the county, together with one (1) signature roster of all
17 registered voters in each precinct of the county on which each voter's party
18 affiliation is identified, and two (2) lists of all registered voters in each
19 precinct of the county at least eighteen (18) days prior to each regular
20 election;
- 21 (d) Select the required format for any voter registration list provided to a county
22 clerk including those intended for use in an e-poll book product;
- 23 (e) Maintain all information furnished to the board relating to the inclusion or
24 deletion of names from the rosters for four (4) years;
- 25 (f) Furnish, at a reasonable price, the state central executive committee of each
26 political party qualifying under KRS 118.015 monthly data of all additions,
27 deletions and changes of registration in each precinct of each county and the

1 state central executive committee shall furnish a county listing to each of the
2 county executive committees of each political party;

3 (g) Purchase, lease or contract for the use of equipment necessary to properly
4 carry out its duties under the provisions of this chapter and KRS Chapters 116
5 and 118;

6 (h) Secure information from any source which may assist the board in carrying
7 out the purposes of this section;

8 (i) Furnish at a reasonable price any and all precinct lists to duly qualified
9 candidates, political party committees or officials thereof, or any committee
10 that advocates or opposes an amendment or public question. The State Board
11 of Elections may also furnish the precinct lists to other persons at the board's
12 discretion, at a reasonable price to be determined by the board. The board
13 shall not furnish precinct lists to persons who intend to use the lists for
14 commercial use; and

15 (j) Be responsible for oversight of board personnel, including hiring,
16 investigations, disciplinary actions, promotions, and other like actions subject
17 to KRS Chapter 18A.

18 **(4) (a) The State Board of Elections shall establish a multilingual ballot hotline for**
19 **use during the regular election held in November 2023, and for every**
20 **subsequent election thereafter.**

21 **(b) Additional languages for translation or interpretation may be included**
22 **within the scope of the multilingual ballot hotline as determined by the State**
23 **Board of Elections.**

24 **(c) Notice of the multilingual ballot hotline shall be prominently and**
25 **permanently displayed on the board's website. The initial notice of the**
26 **hotline shall be displayed not later than eight (8) weeks prior to the regular**
27 **election held in November 2023.**

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

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

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

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

18 (1) The State Board of Elections shall publish and broadcast announcements
19 throughout the state regarding the importance of voting in a free and conscientious
20 manner, procedures for registering to vote and voting, absentee voting, general
21 election laws, the availability of multilingual ballot hotline, multilingual voter
22 registration forms, multilingual ballots, multilingual absentee ballots, and
23 penalties for vote buying and selling.

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

27 (3) The State Board of Elections shall provide for the conspicuous placement of signs

1 at all precinct polling places, which display the telephone number and mailing
2 address of the county board of elections, *the availability of a multilingual ballot,*
3 *the multilingual ballot hotline,* and *information informing*~~[which inform the]~~
4 voters of their right to report any administrative or clerical errors they witness to the
5 county board of elections, either by phone or in writing within ten (10) days after
6 the election.

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

- 8 (1) (a) All requests for a mail-in absentee ballot, *including a multilingual mail-in*
9 *absentee ballot,* shall be requested through a secure online portal established
10 by the State Board of Elections, except for:
- 11 1. Voters identified in KRS 117.077;
 - 12 2. Disabled voters; and
 - 13 3. Covered voters in paragraph (i) of this subsection;
- 14 who have the additional option of requesting a mail-in absentee ballot
15 application through the county clerk.
- 16 (b) Acquiring a mail-in absentee ballot by means of the online portal shall require
17 the voter to input personally identifiable information for verification.
- 18 (c) For those voters who do not have the means of accessing the online portal, the
19 county clerk shall fulfill a request for a mail-in absentee ballot by taking the
20 voter's information over the telephone or in person and directly inputting that
21 information into the secure online portal.
- 22 (d) The online portal shall have the capacity to ensure the identity of the voter
23 through proof of identification as required under KRS 117.227 or by means of
24 KRS 117.228.
- 25 (e) If a voter qualifies to receive a mail-in absentee ballot, the online portal shall
26 transmit the mail-in absentee ballot request to the county clerk of the county
27 in which the voter is registered to vote.

- 1 (f) The online portal shall not be open or permit any mail-in ballot requests to
2 occur more than forty-five (45) days immediately preceding the day of a
3 primary or an election. The online portal shall close at 11:59 p.m. local time,
4 fourteen (14) days immediately preceding the day of a primary or an election.
- 5 (g) Except as otherwise provided in KRS 117.077, the mail-in absentee ballot
6 may be requested by the voter or the spouse, parents, or children of the voter,
7 but shall be restricted to the use of the voter.
- 8 (h) Except as otherwise provided in KRS 117.077 and covered voters in
9 paragraph (i) of this subsection, a qualified voter may apply to cast his or her
10 vote by mail-in absentee ballot if the completed application is received
11 fourteen (14) days before the election, and if the voter is:
- 12 1. A resident of Kentucky who is a covered voter as defined in KRS
13 117A.010;
 - 14 2. A student who temporarily resides outside the county of his or her
15 residence;
 - 16 3. Incarcerated in jail and charged with a crime, but has not been convicted
17 of the crime;
 - 18 4. Changing or has changed his or her place of residence to a different state
19 while the registration books are closed in the new state of residence
20 before an election of electors for President and Vice President of the
21 United States, in which case the voter shall be permitted to cast a mail-in
22 absentee ballot for electors for President and Vice President of the
23 United States only;
 - 24 5. Temporarily residing outside the state but still eligible to vote in this
25 state;
 - 26 6. Prevented from voting in person at the polls on election day and from
27 casting an excused or no-excuse in-person absentee ballot on all days in-

1 person absentee voting is conducted because he or she will be absent
2 from the county of his or her residence all hours and all days excused or
3 no-excuse in-person absentee voting is conducted;

4 7. A participant in the Secretary of State's crime victim address
5 confidentiality protection program as authorized by KRS 14.312; or

6 8. Not able to appear at the polls on election day or the days excused or no-
7 excuse in-person absentee voting is conducted on the account of age,
8 disability, or illness, and who has not been declared mentally disabled
9 by a court of competent jurisdiction.

10 (i) Residents of Kentucky who are covered voters as defined in KRS 117A.010
11 may apply for a mail-in absentee ballot by means of the federal post-card
12 application, which may be transmitted to the county clerk's office by mail, by
13 facsimile machine, or by means of the electronic transmission system
14 established under KRS 117A.030(4). The federal post-card application may
15 be used to register, reregister, and to apply for a mail-in absentee ballot. If the
16 federal post-card application is received at any time not less than seven (7)
17 days before the election, the county clerk shall affix his or her seal to the
18 application form upon receipt.

19 (j) Any qualified voter who is disabled may use an accessible mail-in absentee
20 ballot portal to request and receive a mail-in absentee ballot by means of an
21 electronic transmission system as established under KRS 117A.030(4). The
22 standards necessary to implement this paragraph shall be set by the State
23 Board of Elections pursuant to administrative regulations promulgated under
24 KRS Chapter 13A.

25 (2) For those voters who are eligible to receive a mail-in absentee ballot by means other
26 than the secure online portal pursuant to subsection (1) of this section, the county
27 clerk shall type the name of the voter permitted to vote by mail-in absentee ballot

1 on the mail-in absentee ballot application for that person's use and no other. The
2 mail-in absentee ballot application shall be in the form prescribed by the State
3 Board of Elections, which shall include the voter affirmation form as prescribed in
4 KRS 117.228(1)(c) and shall contain the following information: name, residential
5 address, precinct, party affiliation, statement of the reason the person cannot vote in
6 person on the day of an election or during the dates and time no-excuse in-person
7 absentee voting is being conducted, statement of where the voter shall be on
8 election day or during the dates and times no-excuse in-person absentee voting is
9 being conducted, statement of compliance with residency requirements for voting in
10 the precinct, an instructional statement prescribing the requirements for providing a
11 copy of the voter's proof of identification or voter affirmation when applicable, and
12 the voter's mailing address for a mail-in absentee ballot. The mail-in absentee ballot
13 application form shall be verified and signed by the voter, and the voter shall
14 provide a copy of his or her proof of identification, as defined in KRS 117.001, or
15 the executed voter affirmation as described in KRS 117.228(1)(c). A notice of the
16 actual penalty provisions in KRS 117.995(2) and (5) shall be printed on the mail-in
17 absentee ballot application form.

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

25 (4) Mail-in absentee ballots shall be mailed to a voter's residential address located in
26 the county in which the voter is registered, except for:

27 (a) Qualified voters who apply pursuant to the requirements of subsection

- 1 (1)(h)1. to 5. of this section; or
- 2 (b) Qualified voters covered under KRS 117.077.
- 3 (5) The county clerk shall:
- 4 (a) Transmit a mail-in absentee ballot to the voter who is eligible to receive a
- 5 mail-in absentee ballot within four (4) days of receipt or within four (4) days
- 6 of the ballots being available;
- 7 (b) Cause mail-in absentee ballots to be printed fifty (50) days prior to each
- 8 primary or regular election, and forty-five (45) days prior to a special election;
- 9 and
- 10 (c) Complete a postal form for a certificate of mailing for mail-in absentee ballots
- 11 mailed within the fifty (50) states, and it shall be stamped by the postal
- 12 service when the mail-in absentee ballots are mailed. Unless a postal form for
- 13 a certificate of mailing is required, the county clerk may use methods of
- 14 tracking the mail-in absentee ballots by means of a printed barcode or other
- 15 label that is unique to the individual voter issued by the State Board of
- 16 Elections pursuant to administrative regulations promulgated under KRS
- 17 Chapter 13A.
- 18 (6) A mail-in absentee ballot may be transmitted by facsimile machine or by the
- 19 electronic transmission system established under KRS 117A.030(4) to a covered
- 20 voter as defined in KRS 117A.010. The covered voter shall be notified of the
- 21 options for transmittal of the mail-in absentee ballot, and the mail-in absentee ballot
- 22 shall be transmitted by the method chosen for receipt by the resident of Kentucky
- 23 who is a covered voter.
- 24 (7) The outer envelope of the mail-in absentee ballot shall bear the words "Absentee
- 25 Ballot", the address and official title of the county clerk, a printed barcode or other
- 26 label that is unique to the individual voter issued by the State Board of Elections,
- 27 and adequate space for the voter's signature, voting address, precinct number, and

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

14 (8) Except as otherwise provided in subsection (10) of this section, any person who has
15 received a mail-in absentee ballot but who knows at least seven (7) days before the
16 date of the election that he or she will be in his or her county of residence on
17 election day or during the days of no-excuse in-person absentee voting and who has
18 not voted by means of his or her mail-in absentee ballot shall cancel his or her mail-
19 in absentee ballot and vote in person. The voter shall return the mail-in absentee
20 ballot to the county clerk's office by mail or hand delivery no later than seven (7)
21 days prior to the date of the election. Upon the return of the mail-in absentee ballot,
22 the county clerk shall mark on the outer envelope of the sealed ballot or the
23 unmarked ballot the words "Canceled because voter appeared to vote in person."
24 Sealed envelopes so marked shall not be opened. The county clerk shall remove the
25 voter's name from the list of persons who were sent mail-in absentee ballots, and
26 the voter may vote in the precinct in which he or she is properly registered.

27 (9) Any voter qualified for a mail-in absentee ballot who does not receive a requested

1 mail-in absentee ballot within a reasonable amount of time shall contact the county
2 clerk, who shall reissue a second mail-in absentee ballot. The county clerk shall
3 keep a record of the mail-in absentee ballots issued and returned by mail, hand-
4 delivered, or placed in a secure drop-box or receptacle, and the in-person absentee
5 voting and federal in-person provisional absentee voting that is conducted, to verify
6 that only the first voted ballot is counted. Upon the return of any mail-in absentee
7 ballot after the first mail-in absentee ballot is returned, the county clerk shall mark
8 on the outer envelope of the sealed ballot the words "Canceled because ballot
9 reissued."

10 (10) Any covered voter as defined in KRS 117A.010 who has received a mail-in
11 absentee ballot but who knows that he or she will be in the county on election day
12 or during the days of no-excuse in-person absentee voting shall cancel his or her
13 mail-in absentee ballot and vote in person during the days of no-excuse in-person
14 absentee voting or on the day of the election. The voter shall return the mail-in
15 absentee ballot to the county clerk's office on or before election day. Upon the
16 return of the mail-in absentee ballot, the county clerk shall mark on the outer
17 envelope of the sealed mail-in absentee ballot or the unmarked mail-in absentee
18 ballot the words "Canceled because voter appeared to vote in person." Sealed
19 envelopes so marked shall not be opened. The county clerk shall remove the voter's
20 name from the list of persons who were sent mail-in absentee ballots, allow the
21 voter to vote by means of no-excuse in-person absentee ballot, or provide the voter
22 with written authorization to vote at the precinct on election day. If the voter is
23 unable to return the mail-in absentee ballot to the county clerk's office on or before
24 election day, at the time he or she votes in person, he or she shall sign a written oath
25 as to his or her qualifications on a form prescribed by the State Board of Elections
26 pursuant to KRS 117.245.

27 (11) The State Board of Elections shall promulgate administrative regulations to:

- 1 (a) Ensure election officials have real-time knowledge of which voters have
2 requested mail-in absentee ballots; and
3 (b) Provide procedures to be followed if a voter attempts to vote more than once
4 at a primary or an election.

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

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

18 No voting system or voting equipment shall be approved for use after January 1, 2024, by
19 the State Board of Elections, either upon initial examination or reexamination, and no
20 voting equipment or voting system shall be purchased after July 14, 2022, unless the
21 system and equipment has been certified under KRS 117.379 and is so constructed that it
22 shall:

- 23 (1) Ensure secrecy to the voter in the act of voting so that no person can see or know
24 for 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
24 and 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
7 for 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)** Prohibit voting equipment that tabulates or aggregates votes used in official results
15 from connecting to any network, including the Internet, or communicating with any
16 device external to the voting system;
- 17 **(27)**~~(26)~~ Meet or exceed the standards for a voting system established by the Election
18 Assistance Commission, as amended from time to time, and those approved under
19 KRS 117.379; and
- 20 **(28)**~~(27)~~ Meet such other requirements as may be established by the State Board of
21 Elections in administrative regulations promulgated under KRS Chapter 13A to
22 reflect changes in technology to ensure the integrity and security of voting systems.
- 23 ➔Section 8. KRS 117.145 is amended to read as follows:
- 24 (1) At least forty-five (45) days before any special election, and at least fifty (50) days
25 before any primary or regular election, the county clerk of each county shall cause
26 to be printed and ready for use ballots listing each candidate who, and each question
27 which, is entitled to be voted upon in such primary or election. The ballots shall be

1 printed on clear white paper or other material, in black ink, in plain, clear type
2 clearly legible to a person with normal vision, and shall include the necessary party
3 designations. The quality of the paper and the size of the ballots shall be established
4 by the State Board of Elections in administrative regulations promulgated under
5 KRS Chapter 13A.

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

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

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

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

1 device for the voting equipment for write-in purposes.

2 (6) If supplemental paper ballots have been approved as provided in KRS 118.215, the
3 county clerk shall cause to be printed a sufficient number of supplemental paper
4 ballots for the registered voters of each precinct. The supplemental paper ballots
5 shall have stubs which are numbered consecutively.

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

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

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

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

27 (b) The multilingual instruction cards shall include the same content that is

1 provided by the English instruction cards and shall be prepared by a
 2 qualified translator or interpreter.

3 (c) The State Board of Elections shall:

4 1. Make the determination of which counties are required to make
 5 multilingual instruction cards based on information provided in the
 6 most recent five (5) year estimates specified in the United States
 7 Bureau of the Census American Community Survey or comparable
 8 census data;

9 2. Notify each county clerk that is required to provide a multilingual
 10 instruction card;

11 3. Post a list prominently on the State Board of Election's website of all
 12 counties that are required to provide a multilingual instruction card;
 13 and

14 4. Provide the template of the multilingual instruction cards for the
 15 county clerk and the county attorney in each county affected by this
 16 subsection through the promulgation of administrative regulations
 17 pursuant to KRS Chapter 13A.

18 (d) In counties that are not required to provide multilingual instruction cards
 19 under this subsection, a county clerk, with the county attorney, may prepare
 20 multilingual instruction cards based on the available templates provided by
 21 the State Board of Elections.

22 (4) The instruction cards shall **be:**

23 (a) ~~be~~ Examined and approved by the county board of elections at the time the
 24 voting equipment is examined and approved; ~~The instruction cards shall~~

25 (b) ~~be~~ Delivered to each election clerk by the county clerk at the time that other
 26 election supplies are delivered; **and** ~~and the election clerk shall post the~~
 27 instruction card at the polling place

1 (c) Posted at the polling place by the election clerk.

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

- 3 (1) The State Board of Elections shall regularly provide special training regarding the
4 election laws and methods of enforcement to all members of county boards of
5 elections, county attorneys, Commonwealth's attorneys, and certain members of the
6 Department of Kentucky State Police.
- 7 (2) The county board of elections shall provide special training before each primary,
8 regular election, and any special election to all election officers, alternates, and
9 certified challengers regarding their duties and the penalties for failure to perform.
10 Election officers, including alternates, and certified challengers shall attend the
11 training session, unless excused by the county board of elections for reason of
12 illness or other emergency. Any person who fails to attend a training session
13 without being excused shall be prohibited from serving as an election officer or
14 challenger for a period of five (5) years. The training provided by the county board
15 of elections shall include but not be limited to the following:
- 16 (a) Operation of the voting equipment, and voting system as applicable;
 - 17 (b) Posting of necessary signs and notices at the polling place;
 - 18 (c) Voter assistance;
 - 19 (d) Maintaining precinct rosters;
 - 20 (e) Confirmation of a voter's identity;
 - 21 (f) Challenge of a voter;
 - 22 (g) Completing changes of address or name at the polling place;
 - 23 (h) Qualifications for voting in a primary;
 - 24 (i) Electioneering and exit polling;
 - 25 (j) Write-in voting procedures;
 - 26 (k) Persons who may be in the voting room;
 - 27 (l) Election violations and penalties;

- 1 (m) Assistance which may be provided by law enforcement officers;
- 2 (n) Election reports;
- 3 (o) Disability awareness;
- 4 (p) Provisional voting and provisional absentee voting;
- 5 (q) Election emergency contingency plan;
- 6 (r) Elections, voting equipment, and voting systems security plan;
- 7 (s) Proof of identification;~~[-and]~~
- 8 (t) Information concerning the secure online portal to request a mail-in absentee
- 9 ballot;

10 **(u) Information relating to the different types of ballots and how they are to be**
 11 **used in the process of voting; and**

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

13 (3) The county attorney or the county attorney's designee may attend the training
 14 session for election officers to assist in explaining the duties and penalties for
 15 failure to perform.

16 (4) Compensation in the minimum amount of ten dollars (\$10) for reimbursement of
 17 actual expenses shall be paid by the county to the election officers for attending the
 18 training session.

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

20 (1) At least one (1) hour prior to the opening of the polls, the county clerk shall deliver
 21 the voting equipment, with the operating device and mechanism and the device
 22 covering the registering counters securely locked, to the clerk of the precinct in
 23 which it is to be used, and shall take a receipt indicating the distinguishing number
 24 or the unique designation of the voting equipment. The clerk of the precinct shall
 25 cause any voting equipment to be arranged in the voting place so that the front of
 26 the equipment on which the ballots appear, if applicable, and the operating devices,
 27 will not be visible, when being operated, to any person other than the voter.

1 (2) In polling places in which voting equipment for multiple precincts are located, the
 2 county clerk shall post a sign near the voting equipment identifying the precinct for
 3 which the voting equipment has been designated.

4 (3) ~~For federal provisional ballots, and supplemental paper ballots if approved as~~
 5 ~~provided in KRS 118.215,~~ The county clerk shall, at least one (1) hour prior to the
 6 opening of the polls, deliver or confirm that there is available:

- 7 (a) A sufficient number of ballots, ***including multilingual ballots***, and
 8 supplemental paper ballots if approved ***as provided in KRS 118.215***, for the
 9 registered voters of each precinct;
- 10 (b) A sufficient number of voting booths for voting federal provisional ballots,
 11 and supplemental paper ballots ~~if approved~~;
- 12 (c) A sufficient amount of string and rubber stamps for marking "Spoiled" and
 13 "Unused" ballots;
- 14 (d) A locked ballot box or receptacle for federal provisional ballots, and a
 15 separate locked ballot box for supplemental paper ballots ~~if approved~~, for
 16 each precinct; and
- 17 (e) A sufficient number of federal provisional voter ballots, voter affirmations,
 18 and election official affirmations.

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

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

- 24 (1) Except as provided in subsection (4) of this section, on the day of a primary, an
 25 election, or during in-person absentee voting, if a voter is unable to provide proof of
 26 identification as required under KRS 117.225, and as defined under KRS 117.001, a
 27 voter may cast a ballot if the individual:

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

1 received; or

2 h. The voter has a religious objection to being photographed.

3 (2) In addition to the requirements of subsection (1) of this section, to cast a ballot, the
4 voter who is unable to provide proof of identification shall provide to an election
5 officer:

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

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

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

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

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

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

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

1 the election officer knows the voter's name and that the voter is a resident of the
2 community.

3 (5) The voter affirmation and the election officer affirmations executed under this
4 section shall be processed in the same manner as an oath of voter affidavit as
5 prescribed by subsections (4) and (5) of Section 14 of this Act~~[KRS 117.245(3)~~
6 ~~and (4)]~~.

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

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

12 (a) For the purpose of voting;

13 (b) By authority of the election officers to keep order and enforce the law;

14 (c) With the express approval of the county board of elections to repair or replace
15 voting equipment that is malfunctioning, and to provide additional voting
16 equipment; or

17 (d) At the voter's discretion, a minor child in the company of a voter may
18 accompany the voter into a voting booth or other private area provided for
19 casting a vote.

20 (2) No officer of election shall do any electioneering on election day.

21 (3) (a) No person shall electioneer at the polling place on the day of any election, as
22 established in KRS 118.025, or within a distance of one hundred (100) feet of
23 any entrance to a building in which voting is conducted if that entrance is
24 unlocked and is used by voters on any primary or election day.

25 (b) No person shall electioneer within the interior of a building or affix any
26 electioneering materials to the exterior or interior of a building where the
27 county clerk's office is located, or any building designated by the county

1 board of elections and approved by the State Board of Elections for in-person
2 absentee voting, during the hours in-person absentee voting is being
3 conducted in the building.

4 (c) No person shall electioneer within one hundred (100) feet of a mail-in
5 absentee drop-box or drop-receptacle.

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

17 (4) No voter shall be permitted to converse with others while in any room in which
18 voting, including in-person absentee voting, is conducted concerning their support
19 or nonsupport of any candidate, party, or issue to be voted on, except as provided in
20 **KRS 117.255 and when using a multilingual ballot hotline.**

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

26 (6) Notwithstanding the provisions of subsection (1) of this section, the State Board of
27 Elections may establish a program designed to instill in school children a respect

1 for the democratic principles of voting by conducting in any county a mock election
2 for school children in conjunction with any primary, regular, or special election.
3 The State Board of Elections shall promulgate administrative regulations under
4 KRS Chapter 13A regarding the mock elections to ensure that the regular voting
5 process will not be impaired.

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

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

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

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

26 (3) Assistance with translation of the oath shall be available by means of the
27 multilingual ballot hotline.

1 ~~(4)~~~~(3)~~ The subscribed oaths shall be returned to the county clerk who shall deliver
2 them to the Commonwealth's attorney.

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

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

12 (1) The voter shall be instructed by the officers of election, with the aid of the
13 instruction cards, including multilingual instruction cards, and any model if
14 applicable, in the use of the voting equipment, if the voter so requests.

15 (2) Except for those voters who have been certified as requiring assistance on a
16 permanent basis under this section, no voter shall be permitted to receive any
17 assistance in voting at the polls unless the voter makes and signs an oath that,
18 because of blindness, other physical disability, or an inability to read English, the
19 voter is unable to vote without assistance. The voter shall indicate in the oath the
20 specific reason that requires the voter to receive assistance. The oath shall be upon a
21 voter assistance form prescribed and furnished by the State Board of Elections
22 pursuant to administrative regulations promulgated under KRS Chapter 13A. Any
23 person assisting a voter shall complete the voter assistance form.

24 (3) Upon making and filing the oath with the precinct clerk, the voter requiring
25 assistance shall retire to the voting booth or ballot completion area with the precinct
26 judges, and one (1) of the judges shall, in the presence of the other judge and the
27 voter, complete the ballot as the voter directs. A voter requiring assistance in voting

1 may, if the voter prefers, be assisted by a person of the voter's own choice who is
2 not an election officer, except that the voter's employer, an agent of the voter's
3 employer, or an officer or agent of the voter's union shall not assist a voter.

4 (4) The precinct election clerk shall swear a person assisting a voter in voting to
5 complete the ballot in accordance with the directions of the voter, and the person
6 sworn shall enter the voting booth or ballot completion area and complete the ballot
7 for the voter as the voter directs.

8 (5) A voter who requires voting assistance on a permanent basis because of blindness
9 or other physical disability may apply to the county board of elections for
10 certification. Application may be made when registering to vote or completing the
11 voter assistance form by indicating that the reason for obtaining assistance is
12 permanent. The county board of elections shall determine whether the applicant
13 requires assistance on a permanent basis. The county board of elections shall notify
14 the county clerk of persons certified as requiring permanent voting assistance and
15 the county clerk shall enter the certification on the voter's registration record. The
16 State Board of Elections shall indicate on the precinct roster of voters those voters
17 who are certified to receive assistance permanently without signing the voter
18 assistance form at the precinct.

19 (6) No voter shall be permitted to occupy the voting booth or ballot completion area
20 more than four (4) minutes if other voters are waiting to use it, except that those
21 voters who because of a disability need extra time to cast a ballot shall be given a
22 reasonable amount of time to vote.

23 (7) In primaries, before a voter is permitted to use the voting equipment, a judge of the
24 election shall adjust the voting equipment so that the voter will only be able to vote
25 for the persons for whom the voter is qualified to vote.

26 (8) If the voting equipment is so constructed as to require adjustment after one (1)
27 person has voted before another person may vote, the judges of election shall adjust

1 it after each person has voted.

2 (9) The election officers shall constantly maintain a watch in order to prevent any
3 person from voting more than once.

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

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

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

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

22 (1) Count, tabulate, and record votes;

23 (2) Place items on any ballot which shall, as closely as possible, follow the
24 requirements pertaining to ballots;

25 (3) Design the ballots to include a system to ensure an accurate record of all voting
26 activities;

27 (4) Instruct voters in the use of the voting system, including any ballot marking device;

- 1 (5) Provide for checking the accuracy of the voting system;
- 2 (6) Provide necessary supplies, including those necessary for a write-in vote, to ensure
3 voter privacy;
- 4 (7) As part of the official canvass, provide for a manual recount of randomly selected
5 precincts representing three percent (3%) to five percent (5%) of the total ballots
6 cast in each election;
- 7 (8) Provide for the conducting and review of an audit of any component of a voting
8 system or any voting equipment, and a review of any audit log;
- 9 (9) (a) Provide for the conducting and review of an election audit, including a risk-
10 limiting audit, and risk-limiting audit pilot program, all of which shall
11 establish the protocol by which ballots are checked, compared, and verified
12 with the results produced by vote tallying equipment to ensure accuracy.
- 13 (b) The pilot program shall, at a minimum, include individuals representing the
14 State Board of Elections, the Office of the Secretary of State, and no fewer
15 than five percent (5%) of Kentucky's counties.
- 16 (c) The risk-limiting audit and risk-limiting audit pilot program shall make the
17 results of its findings available to the public;
- 18 (10) Provide a method for maintaining sufficient documents, including ballots and
19 records, so that votes can be recounted;
- 20 **(11) Create and administer the multilingual ballot hotline;**
- 21 **(12)**~~(11)~~ Ensure the county board of elections produces accurate precinct-by-precinct
22 summaries of tabulation sheets showing the results of each precinct during in-
23 person absentee voting, election day voting, and when a county is approved to use a
24 vote center;
- 25 **(13)**~~(12)~~ Except as otherwise required in this chapter, all records and papers relating to
26 specified elections be retained for twenty-two (22) months, such documents and
27 records shall be maintained for thirty (30) days following an election; and

1 ~~(14)~~~~(13)~~ Unless contrary to the Help America Vote Act of 2002, ensure that all federal
2 provisional voting shall be conducted in a manner as prescribed by KRS Chapters
3 116 to 120.

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

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

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

10 ~~(2)~~~~(1)~~ A "political party" is an affiliation or organization of electors representing a
11 political policy and having a constituted authority for its government and
12 regulation, and whose candidate received at least twenty percent (20%) of the total
13 vote cast at the last preceding election at which presidential electors were voted for;

14 ~~(3)~~~~(2)~~ The word "election" used in reference to a state, district, county, or city
15 election, includes the decisions of questions submitted to the qualified voters as
16 well as the choice of officers by them, **which may include a primary, regular**
17 **election, or special election;**

18 ~~(4)~~~~(3)~~ A "ballot" or "official ballot" means the official presentation of offices and
19 candidates to be voted for, including write-in candidates, and all public questions
20 submitted for determination, and shall include a voting machine ballot, a paper
21 ballot, an absentee ballot, a federal provisional ballot, a federal provisional absentee
22 ballot, **a multilingual ballot, a multilingual absentee ballot,** or a supplemental
23 paper ballot which has been authorized for the use of the voters in any primary,
24 regular election, or special election by the Secretary of State or the county clerk;

25 ~~(5)~~~~(4)~~ "Ballot box" means any box, bag, or other container that can be locked,
26 sealed, or otherwise rendered tamper-resistant, for receiving ballots;

27 **(6) "Multilingual ballot" or "multilingual absentee ballot" means a ballot that is**

1 fully translated into a language other than English, or both English and a
2 language other than English, for each language in the state that has at least two
3 thousand (2,000) citizens who are seventeen (17) years or older who speak
4 English less than very well, as determined by the United States Bureau of the
5 Census American Community Survey or comparable Census data;

6 ~~(7)~~~~(5)~~ "Election officer" means any person tasked with election administration
7 within this state, as context dictates the defined role, including but not limited to the
8 Secretary of State and his or her employees, members of the State Board of
9 Elections and staff, members of the county boards of election and staff, precinct
10 election officers, election officials, and poll workers;

11 ~~(8)~~~~(6)~~ "Voting equipment" means any physical component of a voting system and
12 includes voting machines where voting machines are in operation;

13 ~~(9)~~~~(7)~~ "Voting machine" or "machine" means a part of a voting system that consists
14 of:

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

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

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

26 ~~(10)~~~~(8)~~ "Voting system" means:

27 (a) The total combination of physical, mechanical, electromechanical, or

1 electronic equipment, including the software, hardware, firmware, and
2 documentation required to program, control, and support that equipment, that
3 is used to:

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

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

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

16 ~~(11)~~~~(9)~~ The word "resident" used in reference to a candidate in a state, district,
17 county, or city election shall mean actual resident, without regard to the residence
18 of the spouse of the candidate;

19 ~~(12)~~~~(10)~~ "Political organization" means a political group not constituting a political
20 party within the meaning of subsection (1) of this section but whose candidate
21 received two percent (2%) or more of the vote of the state at the last preceding
22 election for presidential electors; and

23 ~~(13)~~~~(11)~~ "Political group" means a political group not constituting a political party or a
24 political organization within the meaning of subsections (1) and ~~(12)~~~~(10)~~ of this
25 section.

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

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

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

5 ~~(2)(1)~~ "Ballot" or "official ballot" means the official presentation of offices and
 6 candidates to be voted for, including write-in candidates, and all public questions
 7 submitted for determination, and shall include a voting machine ballot, a paper
 8 ballot, an absentee ballot, a special ballot, **a multilingual ballot, a multilingual**
 9 **absentee ballot,** or a supplemental paper ballot which has been authorized for the
 10 use of the voters in any primary, regular election, or special election by the
 11 Secretary of State or the county clerk;

12 ~~(3)(2)~~ "Election" refers only to elections for offices of the Court of Justice;

13 **(4) "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 ~~(5)(3)~~ "Voting equipment" means any physical component of a voting system and
 20 includes voting machines where voting machines are in operation;

21 ~~(6)(4)~~ "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; and

7 ~~(Z)~~~~(5)~~ "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 No provisions of KRS Chapter 118 existing on March 10, 1976, except KRS 118.015
25 through 118.045 shall apply to such elections. All other provisions of the election laws
26 not inconsistent with this chapter shall be applicable thereto.

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

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

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

6 ~~(2)(1)~~ A "ballot" or "official ballot" means the official presentation of offices and
7 candidates to be voted for, including write-in candidates, and all public questions
8 submitted for determination, and shall include a voting machine ballot, a paper
9 ballot, an absentee ballot, a special ballot, a federal provisional ballot, a federal
10 provisional absentee ballot, a multilingual ballot, a multilingual absentee ballot,
11 or a supplemental paper ballot which has been authorized for the use of the voters
12 in any primary or regular or special election by the Secretary of State or the county
13 clerk;

14 ~~(3)(2)~~ "Ballot box" means any box, bag, or other container that can be locked,
15 sealed, or otherwise rendered tamper-resistant, for receiving ballots;

16 (4) "Election" or "elections" means any primary, regular election, or special
17 election;

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

24 ~~(6)(3)~~ "Election officer" has the same meaning as in KRS 118.015;

25 ~~(7)(4)~~ "Voting equipment" means any physical component of a voting system and
26 includes voting machines where voting machines are in operation;

27 ~~(8)(5)~~ "Voting machine" or "machine" means a part of a voting system that consists

1 of:

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

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

10 (b) One (1) or more electronic devices that operate independently or as a

11 combination of a ballot-marking device and an electronic or automatic vote-

12 tabulating device; and

13 ~~(2)~~⁽⁶⁾ "Voting system" means:

14 (a) The total combination of physical, mechanical, electromechanical, or

15 electronic equipment, including the software, hardware, firmware, and

16 documentation required to program, control, and support that equipment, that

17 is used to:

- 18 1. Define ballots;
- 19 2. Cast and count votes;
- 20 3. Report or display election results; and
- 21 4. Maintain and produce any audit trail information; and

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

- 23 1. Identify system components and versions of those components;
- 24 2. Test the system during its development and maintenance;
- 25 3. Maintain records of system errors and defects;
- 26 4. Determine specific system changes to be made to a system after the
- 27 initial qualification of the system; and

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

3 ➔Section 20. KRS 120.005 is amended to read as follows:

4 As used in this chapter:

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)(1)~~ A "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 multilingual ballot, a multilingual absentee ballot,** a
13 special ballot, a federal provisional ballot, a federal provisional absentee ballot, or a
14 supplemental paper ballot which has been authorized for the use of the voters in any
15 primary or regular or special election by the Secretary of State or the county clerk;

16 ~~(3)(2)~~ "Ballot box" means any box, bag, or other container that can be locked,
17 sealed, or otherwise rendered tamper-resistant, for receiving ballots;

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

24 ~~(5)(3)~~ "Voting equipment" means any physical component of a voting system and
25 includes voting machines where voting machines are in operation;

26 ~~(6)(4)~~ "Voting machine" or "machine" means a part of a voting system that is either:

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

- 1 1. Records votes by means of a ballot display provided with mechanical or
- 2 electro-operated components that may be actuated by the voter;
- 3 2. Processes the data by means of a computer program;
- 4 3. Records voting data and ballot images in internal and external memory
- 5 components; and
- 6 4. Produces a tabulation of the voting data stored in a removable memory
- 7 component and on a printed copy; or
- 8 (b) One (1) or more electronic devices that operate independently or as a
- 9 combination of a ballot-marking device and an electronic or automatic vote
- 10 tabulating device; and
- 11 ~~(Z)~~~~(5)~~ "Voting system" means:
- 12 (a) The total combination of physical, mechanical, electromechanical, or
- 13 electronic equipment, including the software, hardware, firmware, and
- 14 documentation required to program, control, and support that equipment, that
- 15 is used to:
- 16 1. Define ballots;
- 17 2. Cast and count votes;
- 18 3. Report or display election results; and
- 19 4. Maintain and produce any audit trail information; and
- 20 (b) The practices and associated documentation used to:
- 21 1. Identify system components and versions of those components;
- 22 2. Test the system during its development and maintenance;
- 23 3. Maintain record records of system errors and defects;
- 24 4. Determine specific system changes to be made to a system after the
- 25 initial qualification of the system; and
- 26 5. Make available any materials to the voter, such as notices, instructions,
- 27 forms, or paper ballots.

1 ➔Section 21. This Act may be cited as Ballot Access For All Citizens Act.