

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 117.125 is amended to read as follows:

4 No voting system or voting equipment shall be approved for use after January 1, 2024, by  
5 the State Board of Elections, either upon initial examination or reexamination, and no  
6 voting equipment or voting system shall be used or purchased for use in elections after  
7 July 14, 2022, unless the system and equipment has been certified under KRS 117.379  
8 and is so constructed that it shall:

- 9 (1) Ensure secrecy to the voter in the act of voting so that no person can see or know  
10 for whom any other voter has voted or is voting, except for those voters requiring  
11 assistance under KRS 117.255;
- 12 (2) Permit votes to be cast for any candidate entitled to have his or her name printed  
13 upon the ballots at any primary, regular election, or special election, and for or  
14 against any public question entitled to be placed upon the ballots;
- 15 (3) Except at a primary, permit a voter to vote for all the candidates of one (1) party or  
16 for one (1) or more candidates of every party having candidates entitled to be voted  
17 for, or for one (1) or more independent, political organization, or political group  
18 candidates;
- 19 (4) Permit a voter to vote for as many persons for an office as the voter is lawfully  
20 entitled to vote for, and no more;
- 21 (5) Prevent a voter from voting for more persons for any office than the voter is entitled  
22 to vote for, and from voting for the same person, or for or against the same  
23 question, more than once;
- 24 (6) Permit a voter to vote for or against any question the voter may have the right to  
25 vote on, but no other;
- 26 (7) Provide for a nonpartisan ballot;
- 27 (8) Be capable of being adjusted for use in a primary so that a voter may not vote for

- 1           any person except those seeking nomination as candidates of the voter's party, as  
2           candidates for a nonpartisan office, or as candidates for an office of the Court of  
3           Justice;
- 4   (9)   Permit each voter to vote for all the candidates for presidential electors of any party  
5           by one (1) operation;
- 6   (10)  Permit each voter to vote, in any regular or special election, for any person for  
7           whom the voter desires to vote whose name does not appear upon the ballot by  
8           providing a method of write-in voting;
- 9   (11)  Be safe, efficient, and accurate in the conduct of elections, and correctly register  
10          and accurately count all votes cast for each person, and for or against each public  
11          question;
- 12   (12)  (a)   Provide each voter an opportunity to verify votes recorded on the permanent  
13                  paper ballot, either visually or using assistive voting technology, by producing  
14                  a voter-verified paper audit trail;
- 15          (b)   Provide each voter an opportunity to change votes or correct any error before  
16                  the voter's ballot is cast and counted; and
- 17          (c)   Provide a voter who spoils his or her ballot another ballot as provided under  
18                  this chapter;
- 19   (13)  Use an individual, discrete, permanent, paper ballot cast by the voter for tabulating  
20          purposes;
- 21   (14)  Preserve the paper ballot as an official record available for use in any audit or  
22          recount;
- 23   (15)  Be suitably designed for the purpose used, constructed of a durable material, and  
24          safely transportable;
- 25   (16)  Be capable of determining whether the voting equipment has been unlocked and  
26          operated or adjusted in any manner after once being locked;
- 27   (17)  Have a public counter with a register which is visible from the outside of the

- 1 counter or device that will show at all times during an election how many persons  
2 have voted;
- 3 (18) Have a protective cumulative counter indicating the number of votes cast for each  
4 person, and the votes cast for or against each public question which cannot be seen,  
5 reset, or tampered with without unlocking a covering device by a key or other  
6 security apparatus that cannot unlock any other part of the equipment, and which  
7 prevents changes to the cumulative counter once the system has been put into  
8 operation on the day of any election;
- 9 (19) Provide for the tabulating of votes at the precinct as required under KRS 117.275;
- 10 (20) Provide locks or other security apparatus by which the operation of the voting  
11 equipment may be locked before the time for opening the polls and after the time  
12 for closing the polls;
- 13 (21) Permit a voter to readily learn the method of operating it, to expeditiously cast a  
14 vote for all candidates and on all questions of the voter's choice, and when operated  
15 properly, register and record correctly and accurately every vote cast;
- 16 (22) Bear a number or other unique designation that will distinguish it from any other  
17 voting equipment or voting system;
- 18 (23) Produce a real-time audit log record for the voting system, and produce a paper  
19 record with a manual audit capacity which shall be available as an official record  
20 for any recount conducted related to any primary or election in which the system is  
21 used;
- 22 (24) Be accessible for individuals with impairments, including nonvisual accessibility  
23 for the blind or visually impaired, in a manner that provides the same opportunity  
24 for access and participation, including privacy and independence, as for other  
25 voters;
- 26 (25) Prohibit voting equipment that tabulates or aggregates votes used in official results  
27 from connecting to any network, including the Internet, or communicating with any

- 1 device external to the voting system;
- 2 (26) Meet or exceed the standards for a voting system established by the Election  
3 Assistance Commission, as amended from time to time, and those approved under  
4 KRS 117.379;~~and~~
- 5 (27) Not contain firmware, software, or hardware, assemblies and subassemblies,  
6 integrated circuits, or any other method by which any firmware or software  
7 operates, including all components and subcomponents, unless it is designed,  
8 manufactured, integrated, and assembled only in the United States and from  
9 suppliers accredited by the Defense Microelectronics Activity of the United States  
10 Department of Defense as described in Department of Defense Instruction  
11 5200.44; and
- 12 (28) Meet such other requirements as may be established by the State Board of Elections  
13 in administrative regulations promulgated under KRS Chapter 13A to reflect  
14 changes in technology to ensure the integrity and security of voting systems.