

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,]~~
5 by 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 or at a special election held under KRS 67C.103(12), permit a
16 voter to vote for all the candidates of one (1) party or for one (1) or more candidates
17 of every party having candidates entitled to be voted for, or for one (1) or more
18 independent, political organization, or political group 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.