

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 118.125 is amended to read as follows:

4 (1) Except as provided in KRS 118.155, any person who is qualified under the
5 provisions of KRS 116.055 to vote in any primary for the candidates for nomination
6 by the party at whose hands he or she seeks the nomination, shall have his or her
7 name printed on the official ballot of his or her party for an office to which he or
8 she is eligible in that primary, upon filing, with the Secretary of State or county
9 clerk, as appropriate, at the proper time, a notification and declaration.

10 (2) The notification and declaration shall be in the form prescribed by the State Board
11 of Elections. It shall be signed by the candidate, ***but the candidate's signature*** ~~and~~
12 ~~by not less than two (2) registered voters of the same party from the district or~~
13 ~~jurisdiction from which the candidate seeks nomination. Signatures for nomination~~
14 ~~papers~~ shall not be affixed on the document to be filed prior to the first Wednesday
15 after the first Monday in November of the year preceding the year in which the
16 office will appear on the ballot. The notification and declaration for a candidate
17 shall include the following oath:

18 "For the purpose of having my name placed on the official primary election
19 ballot as a candidate for nomination by the ----- Party, I, ----- (name in full as
20 desired on the ballot as provided in KRS 118.129), do solemnly swear that my
21 residence address is ----- (street, route, highway, city if applicable, county, state,
22 and zip code), that my mailing address, if different, is ----- (post office address), and
23 that I am a registered ----- (party) voter; that I believe in the principles of the -----
24 Party, and intend to support its principles and policies; that I meet all the statutory
25 and constitutional qualifications for the office which I am seeking; that if nominated
26 as a candidate of such party at the ensuing election I will accept the nomination and
27 not withdraw for reasons other than those stated in KRS 118.105(3); that I will not

1 knowingly violate any election law or any law relating to corrupt and fraudulent
 2 practice in campaigns or elections in this state, and if finally elected I will qualify
 3 for the office."

4 The declaration shall be subscribed and sworn to ***by the candidate*** before an officer
 5 authorized to administer an oath~~[by the candidate and by the two (2) voters making~~
 6 ~~the declaration and signing the candidate's petition for office].~~

7 (3) When the notice and declaration has been filed with the Secretary of State or county
 8 clerk, as appropriate, and certified according to KRS 118.165, the Secretary of State
 9 or county clerk, as appropriate, shall have the candidate's name printed on the ballot
 10 according to the provisions of this chapter, except as provided in KRS 118.185.

11 (4) Titles, ranks, or spurious phrases shall not be accepted on the filing papers and shall
 12 not be printed on the ballots as part of the candidate's name; however, nicknames,
 13 initials, and contractions of given names may be acceptable as the candidate's name.

14 ➔Section 2. KRS 118A.060 is amended to read as follows:

15 (1) Except as provided in KRS 118A.100, no person's name shall appear on a ballot,
 16 including an absentee ballot, for an office of the Court of Justice without first
 17 having been nominated as provided in this section.

18 (2) Each candidate for nomination shall file a petition for nomination with the
 19 Secretary of State not earlier than the first Wednesday after the first Monday in
 20 November of the year preceding the year in which the office will appear on the
 21 ballot and not later than the first Friday following the first Monday in January
 22 preceding the day fixed by law for holding the primary for the office. The petition
 23 shall be sworn to~~[before an officer authorized to administer an oath]~~ by the
 24 candidate ***before an officer authorized to administer an oath***~~[and by not less than~~
 25 ~~two (2) registered voters from the district or circuit from which he or she seeks~~
 26 ~~nomination].~~ ***The petition shall be signed by the candidate, but the candidate's***
 27 ***signature***~~[Signatures for nomination papers]~~ shall not be affixed on the document

1 to be filed prior to the first Wednesday after the first Monday in November of the
2 year preceding the year in which the office will appear on the ballot. The petition
3 shall be filed no later than 4 p.m. local time at the place of filing when filed on the
4 last date on which the papers are permitted to be filed.

5 (3) (a) The petition for nomination shall be in the form prescribed by the State Board
6 of Elections. The petition shall include a declaration sworn to by the
7 candidate, that he or she possesses all the constitutional and statutory
8 requirements of the office for which the candidate has filed. Titles, ranks, or
9 spurious phrases shall not be accepted on the petition and shall not be printed
10 on the ballots as part of the candidate's name; however, nicknames, initials,
11 and contractions of given names may be acceptable as the candidate's name.

12 (b) The Secretary of State shall certify the exact spelling and form of the name of
13 the candidate to be printed on all ballots in accordance with the requirements
14 listed in KRS 118.129.

15 (4) The Secretary of State shall examine the petition of each candidate to determine
16 whether it is regular on its face. If there is an error, the Secretary of State shall
17 notify the candidate by certified mail within twenty-four (24) hours of filing. The
18 order of names on the ballot for each district or circuit, and numbered division if
19 divisions exist, shall be determined by lot at a public drawing to be held in the
20 office of the Secretary of State at 2 p.m., standard time, on the Thursday following
21 the filing deadline for the primary as established in this section and in KRS
22 83A.045 and 118.165.

23 (5) Not later than the date set forth in KRS 118.215(1)(a) preceding the primary, and
24 after the order of names on the ballot has been determined as required in subsection
25 (4) of this section, the Secretary of State shall:

26 (a) Certify to the county clerks of the respective counties entitled to participate in
27 the election of the various candidates, the name and place of residence of each

1 candidate for each office, by district or circuit, and numbered division if
2 divisions exist, as specified in the petitions for nomination filed with him or
3 her; and

4 (b) Designate for the county clerks the office of the Court of Justice with which
5 the names of candidates shall be printed and the order in which they are to
6 appear on the ballot.

7 (6) The ballot position of a candidate shall not be changed after the ballot position has
8 been designated by the Secretary of State.

9 (7) The county clerks of each county shall cause to be printed on the ballots for the
10 primary the names of the candidates for offices in the Court of Justice.

11 (8) The names of the candidates shall be placed on the ballots in a separate column or
12 columns or in a separate line or lines and identified by the words "Judicial Ballot."
13 The words "Vote for one," or "Vote for one in each division," shall be printed on
14 the ballot in an appropriate location. The office, numbered division if divisions
15 exist, and the candidates shall be clearly labeled. No party designation or emblem
16 of any kind, nor any sign indicating any candidate's political belief or party
17 affiliation, shall be used on the ballots.

18 (9) The two (2) candidates receiving the highest number of votes for nomination for
19 justice or judge of a district or circuit, or numbered division if divisions exist, shall
20 be nominated. Certificates of nomination shall be issued as provided in KRS
21 118A.190.

22 (10) If it appears after expiration of the time for filing petitions for nomination that there
23 are not more than two (2) candidates who have filed the necessary petitions for a
24 place on the ballot in the regular election, no drawing for ballot position shall be
25 held and the Secretary of State shall immediately issue and file in the Secretary's
26 office certificates of nomination, and send copies to the candidates.

27 ➔Section 3. KRS 118A.100 is amended to read as follows:

- 1 (1) Candidates for an unexpired term of a judicial office to be filled at a regular
2 election shall be nominated at the primary next preceding the regular election in the
3 manner prescribed in KRS 118A.060 if the vacancy occurs not later than the second
4 Friday in December preceding the primary. If the vacancy occurs on or after that
5 date, the election to fill the unexpired term shall be held in accordance with the
6 procedures described in this section and Section 152 of the Constitution of
7 Kentucky.
- 8 (2) Each candidate shall file a petition for nomination with the Secretary of State not
9 earlier than the first Wednesday after the first Monday in November of the year
10 preceding the year in which the election for the unexpired term will be held and not
11 later than the first Tuesday after the first Monday in June preceding the day fixed
12 by law for holding the regular election for the unexpired term, if the vacancy occurs
13 prior to the first Tuesday following the first Monday in June. If the vacancy occurs
14 after the first Tuesday following the first Monday in June, each candidate shall file
15 a petition for nomination with the Secretary of State not later than the second
16 Tuesday in August preceding the day fixed by law for holding the regular election
17 for the unexpired term. The petition shall be sworn to by the candidate~~[and by not~~
18 ~~less than two (2) registered voters from the district or circuit from which he or she~~
19 ~~seeks nomination]~~, before an officer authorized to administer an oath. **The petition**
20 **shall be signed by the candidate, but the candidate's signature**~~[Signatures for~~
21 ~~nomination papers]~~ shall not be affixed on the document to be filed prior to the first
22 Wednesday after the first Monday in November of the year preceding the year in
23 which the office will appear on the ballot. The petition shall be filed no later than 4
24 p.m. local time at the place of filing when filed on the last date on which the papers
25 are permitted to be filed.
- 26 (3) The petition for nomination shall be in the form prescribed by the State Board of
27 Elections. The petition shall include a declaration sworn to by the candidate, that he

1 or she possesses all the constitutional and statutory requirements of the office for
2 which the candidate has filed. Titles, ranks, or spurious phrases shall not be
3 accepted on the petition and shall not be printed on the ballots as part of the
4 candidate's name; however, nicknames, initials, and contractions of given names
5 may be acceptable as the candidate's name.

6 (4) The Secretary of State shall examine the petition of each candidate to determine
7 whether it is regular on its face. If there is an error, the Secretary of State shall
8 notify the candidate by certified mail within twenty-four (24) hours of filing.

9 (5) The order of names on the ballot for each district or circuit, and numbered division
10 if divisions exist, shall be determined by lot at a public drawing to be held in the
11 office of the Secretary of State at 2 p.m., standard time, on the Thursday following
12 the first Tuesday after the first Monday in June preceding the regular election for
13 those petitions for nomination required to be filed no later than the first Tuesday
14 following the first Monday in June. For those petitions for nomination required to
15 be filed no later than the second Tuesday in August, the order of names on the
16 ballot for each district and circuit, and numbered division if divisions exist, shall be
17 determined by lot at a public drawing to be held in the office of the Secretary of
18 State at 2 p.m., standard time, on the Thursday following the second Tuesday in
19 August preceding the regular election.

20 (6) Not later than the date set forth in KRS 118.215 and after the order of names on the
21 ballot has been determined as required in subsection (5) of this section, the
22 Secretary of State shall:

23 (a) Certify to the county clerks of the respective counties entitled to participate in
24 the election of the various candidates, the name and place of residence of each
25 candidate for each office, by district or circuit, and numbered division if
26 divisions exist, as specified in the petitions for nomination filed with the
27 Secretary of State; and

- 1 (b) Designate for the county clerks the office of the Court of Justice with which
2 the names of candidates shall be printed and the order in which they are to
3 appear on the ballot.
- 4 (7) The ballot position of a candidate shall not be changed after the ballot position has
5 been designated by the county clerk.
- 6 (8) The county clerks of each county shall cause to be printed on the ballots, including
7 absentee ballots, for the regular election the names of the candidates for offices of
8 the Court of Justice.
- 9 (9) The names of the candidates shall be placed on the ballots in a separate column or
10 columns or in a separate line or lines and identified by the words "Judicial Ballot,"
11 and in a manner so that the casting of a vote for all of the candidates of a political
12 party will not operate to cast a vote for judicial candidates. The words "Vote for
13 one" or "Vote for one in each division," shall be printed on the appropriate location.
14 The office, numbered division if divisions exist, and the candidates therefor shall be
15 clearly labeled. No party designation or emblem of any kind, nor any sign
16 indicating any candidate's political belief or party affiliation, shall be used on any
17 ballot.
- 18 (10) The candidate receiving the highest number of votes cast at the regular election for
19 a district or circuit, or for a numbered division if divisions exist, shall be elected.
- 20 (11) A judge who elected to retire as a Senior Status Special Judge in accordance with
21 KRS 21.580 shall not become a candidate or a nominee for any elected office
22 during the five (5) year term prescribed in KRS 21.580(1)(a)1., regardless of the
23 number of days served by the judge acting as a Senior Status Special Judge.
- 24 ➔Section 4. KRS 118.155 is amended to read as follows:
- 25 (1) The provisions of KRS 118.125 shall not apply to any eligible person serving in the
26 Armed Forces of the United States while this country is at war. The name of such
27 person shall be printed on the official ballot of his ***or her*** party for an office for

- 1 which he or she is eligible in any primary election when an application has been
2 filed on his or her behalf by two (2) reputable electors of the party at whose hands
3 he or she seeks the nomination.
- 4 (2) ~~The~~^{Such} application shall be accompanied by a statement signed by the proposed
5 candidate authorizing the action of the electors.
- 6 (3) The application and the candidate's statement~~[, herein mentioned,]~~ shall be filed in
7 good faith and with the proper officer at the proper time, as provided for other
8 candidates in primary elections.
- 9 (4) ~~[The form of such application shall be similar to that of the affidavits required of~~
10 ~~electors in behalf of other candidates as provided in KRS 118.125.~~
- 11 (5) ~~]~~Before such a successful candidate is given a certificate of nomination, he or she
12 shall file with the county clerk of the county in which he or she resides a statement
13 that during the campaign for the nomination he or she did not, and while a
14 candidate for the office will not, knowingly violate any election law or any law
15 relating to corrupt and fraudulent practice in campaigns or elections in this state,
16 and if elected will qualify for the office.