

1 AN ACT proposing an amendment to Sections 32, 72, 91, 100, and 122 of the
2 Constitution of Kentucky relating to citizenship requirements of state and local elected
3 officials.

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

5 ➔Section 1. Are you in favor of amending the Constitution of Kentucky to
6 establish that a person who is a national of any country other than the United States and
7 not a natural born citizen of the United States is not eligible to be elected to serve in
8 certain state and local offices as stated below?

9 ➔Section 2. It is proposed that Section 32 of the Constitution of Kentucky be
10 amended to read as follows:

11 No person shall be a Representative who, at the time of his or her election, is a
12 national of any country other than the United States, is not a natural born citizen of
13 the United States, is not a citizen of Kentucky, has not attained the age of twenty-four
14 years, and ~~who~~ has not been a resident of Kentucky for at least~~resided in this State~~
15 two years next preceding his or her election, and the last year thereof in the county, town
16 or city for which he or she may be chosen. No person shall be a Senator who, at the time
17 of his or her election, is a national of any country other than the United States, is not a
18 natural born citizen of the United States, is not a citizen of Kentucky, has not attained
19 the age of thirty years, and has not been a resident of Kentucky for at least~~resided in~~
20 ~~this State~~ six years next preceding his or her election, and the last year thereof in the
21 district for which he or she may be chosen.

22 ➔Section 3. It is proposed that Section 72 of the Constitution of Kentucky be
23 amended to read as follows:

24 The Governor and the Lieutenant Governor shall be at least thirty years of age,
25 natural born citizens of the United States, and have been citizens and residents of
26 Kentucky for at least six years next preceding their election; and shall not be nationals
27 of any country other than the United States. The duties of the Lieutenant Governor shall

1 be prescribed by law, and he or she shall have such other duties as delegated by the
2 Governor.

3 ➔Section 4. It is proposed that Section 91 of the Constitution of Kentucky be
4 amended to read as follows:

5 A Treasurer, Auditor of Public Accounts, Commissioner of Agriculture, Labor and
6 Statistics, Secretary of State, and Attorney-General, shall be elected by the qualified
7 voters of the State at the same time the Governor and Lieutenant Governor are elected,
8 for the term of four years, each of whom shall be at least thirty years of age at the time of
9 his or her election, a natural born citizen of the United States, and ~~shall have been~~ a
10 resident citizen of the State at least two years next preceding~~before~~ his or her election,
11 and shall not be a national of any country other than the United States. The duties of
12 all these officers shall be such as may be prescribed by law, and the Secretary of State
13 shall keep a fair register of and attest all the official acts of the Governor, and shall, when
14 required, lay the same and all papers, minutes, and vouchers relative thereto before either
15 House of the General Assembly. The officers named in this section shall enter upon the
16 discharge of their duties the first Monday in January after their election, and shall hold
17 their offices until their successors are elected and qualified.

18 ➔Section 5. It is proposed that Section 100 of the Constitution of Kentucky be
19 amended to read as follows:

20 No person shall be eligible to the offices mentioned in Sections 97 and 99 who is
21 not at the time of his or her election at least twenty-four years of age (except Clerks of
22 County and Circuit Courts, who shall be at least twenty-one years of age), a natural born
23 citizen of the United States, a citizen of Kentucky, and a resident of Kentucky for at
24 least~~who has not resided in the State~~ two years, and one year next preceding his or her
25 election in the county and district in which he or she is a candidate. No person shall be
26 eligible to the offices mentioned in Sections 97 and 99 who is a national of any country
27 other than the United States. No person shall be eligible to the office of

1 Commonwealth's Attorney unless he or she shall have been a licensed practicing lawyer
2 four years. No person shall be eligible to the office of County Attorney unless he or she
3 shall have been a licensed practicing lawyer two years. No person shall be eligible to the
4 office of Clerk unless he or she shall have procured from a Judge of the Court of
5 Appeals, or a Judge of a Circuit Court, a certificate that he or she has been examined by
6 the Clerk of his or her Court under his or her supervision, and that he or she is qualified
7 for the office for which he or she is a candidate.

8 ➔Section 6. It is proposed that Section 122 of the Constitution of Kentucky be
9 amended to read as follows:

10 To be eligible to serve as a justice of the Supreme Court or a judge of the Court of
11 Appeals, Circuit Court, or District Court, a person ~~shall~~_[must] be a **natural born** citizen
12 of the United States, licensed to practice law in the courts of this Commonwealth, ~~and~~
13 ~~have been~~ a resident of this Commonwealth and of the district from which he or she is
14 elected for two years next preceding his or her taking office, **and shall not be a national**
15 **of any country other than the United States**. In addition, to be eligible to serve as a
16 justice of the Supreme Court or judge of the Court of Appeals or Circuit Court a person
17 ~~shall~~_[must] have been a licensed attorney for at least eight years. **To be eligible to serve**
18 **as a**~~[No district]~~ judge **of District Court, a person** shall ~~have~~_[serve who has not] been a
19 licensed attorney for at least two years.

20 ➔Section 7. This amendment shall be submitted to the voters of the
21 Commonwealth for their ratification or rejection at the time and in the manner provided
22 for under Sections 256 and 257 of the Constitution, KRS 118.415, and Sections 8 and 9
23 of this Act.

24 ➔Section 8. Notwithstanding any provision of KRS 118.415 to the contrary, the
25 Secretary of State shall cause the entirety of the question in Section 1 of this Act and the
26 entirety of the proposed amendment to the Constitution of Kentucky contained in
27 Sections 2, 3, 4, 5, and 6 of this Act to be published at least one time in a newspaper of

1 general circulation published in this state, and shall also cause to be published at the same
2 time and in the same manner the fact that the amendment will be submitted to the voters
3 for their acceptance or rejection at the next regular election at which members of the
4 General Assembly are to be voted for. The publication required by this section and KRS
5 118.415 shall be made no later than the first Tuesday in August preceding the election at
6 which the amendment is to be voted on.

7 ➔Section 9. Notwithstanding any provision of KRS 118.415 to the contrary, the
8 Secretary of State, not later than the second Monday after the second Tuesday in August
9 preceding the next regular election at which members of the General Assembly are to be
10 chosen in a year in which there is not an election for President and Vice President of the
11 United States, or not later than the Thursday after the first Tuesday in September
12 preceding a regular election in a year in which there is an election for President and Vice
13 President of the United States, shall certify the entirety of the question in Section 1 of this
14 Act and the entirety of the proposed amendment to the Constitution of Kentucky
15 contained in Sections 2, 3, 4, 5, and 6 of this Act to the county clerk of each county, and
16 the county clerk shall have the entirety of the question and the amendment, as so
17 certified, indicated on the ballots provided to the voters in paper or electronic form as
18 applicable to the voting machines in use in each county or precinct.