

1 AN ACT relating to elections and declaring an emergency.

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

3 ➔Section 1. KRS 30A.145 is amended to read as follows:

4 (1) Each circuit clerk shall send certified notices of incompetency to the State Board of
5 Elections within ten (10) days after the determination has become final with regard
6 to any person before the courts of the county.

7 (2) The Administrative Office of the Courts shall prepare, on the first Tuesday of each
8 month, a list of all persons who were excused from jury duty for not being a citizen
9 of the United States and provide the list to the Attorney General, the United States
10 Attorney of the appropriate jurisdiction, and the State Board of Elections.

11 **(3) The Administrative Office of the Courts shall prepare, on the first Tuesday of**
12 **each month, an all-time list of persons convicted of a felony, who are currently**
13 **ineligible to vote, and provide the list to the State Board of Elections. The list**
14 **shall also include any persons currently convicted of a felony whose case is**
15 **pending appeal.**

16 ➔Section 2. KRS 83A.040 is amended to read as follows:

17 (1) A mayor shall be elected by the voters of each city at a regular election. A
18 candidate for mayor shall be a resident of the city for not less than one (1) year
19 prior to his or her election. His or her term of office shall begin on the first day of
20 January following his or her election and shall be for four (4) years and until his or
21 her successor qualifies. If a person is elected or appointed as mayor in response to a
22 vacancy and serves less than four (4) calendar years, then that period of service
23 shall not be considered for purposes of re-election a term of office. A mayor shall
24 be at least twenty-one (21) years of age, shall be a qualified voter in the city, and
25 shall reside in the city throughout his or her term of office.

26 (2) If a vacancy occurs in the office of mayor, the following provisions shall apply:

27 (a) The legislative body of the city shall fill the vacancy within thirty (30) days;

- 1 (b) A member of the legislative body in any city organized and governed under
2 the commission plan as provided by KRS 83A.140 or city manager plan as
3 provided by KRS 83A.150 may vote for himself;
- 4 (c) A member of the legislative body in any city organized and governed under
5 the mayor-council plan as provided by KRS 83A.130 and in any city of the
6 first class organized under the mayor-alderman plan as provided by KRS
7 Chapter 83 shall not vote for himself; and
- 8 (d) The legislative body shall elect from among its members an individual to
9 preside over meetings of the legislative body during any vacancy in the office
10 of mayor in accordance with the provisions of KRS 83A.130 to 83A.150.
- 11 (3) When voting to fill the vacancy created by a resignation of a mayor the resigning
12 mayor shall not vote on his or her successor.
- 13 (4) Each legislative body member shall be elected at large by the voters of each city at
14 a regular election. A candidate for a legislative body shall be a resident of the city
15 for not less than one (1) year prior to his or her election. His or her term of office
16 shall begin on the first day of January following his or her election and shall be for
17 two (2) years, except as provided by KRS 83A.050. A member shall be at least
18 eighteen (18) years of age, shall be a qualified voter in the city, and shall reside in
19 the city throughout his or her term of office.
- 20 (5) (a) If one (1) or more vacancies on a legislative body occur in a way that one (1)
21 or more members remain seated, the remaining members shall within thirty
22 (30) days fill the vacancies one (1) at a time, giving each new appointee
23 reasonable notice of his or her selection as will enable him or her to meet and
24 act with the remaining members in making further appointments until all
25 vacancies are filled.
- 26 (b) If a majority of the membership on a legislative body is vacated as a result
27 of a judgment by a Circuit Court or on appeal under subsection (4) of

Section 10 of this Act because of an election error due to no fault of any candidate or fraud, a new special election shall be called and held as soon as practicable for the bona fide candidates only. Members of the legislative body whose term expires shall remain in office until the contest and any appeals of the regular election are complete and final.

(c) If vacancies occur in a way that all seats become vacant, the Governor shall appoint qualified persons to fill the vacancies sufficient to constitute a quorum. Remaining vacancies shall be filled as provided in this section.

(6) If for any reason, any vacancy in the office of mayor or the legislative body is not filled within thirty (30) days after it occurs, the Governor shall promptly fill the vacancy by appointment of a qualified person who shall serve for the same period as if otherwise appointed.

(7) No vacancy by reason of voluntary resignation in the office of mayor or on a legislative body shall occur unless a written resignation which specifies a resignation date is tendered to the legislative body. The resignation may be submitted through electronic mail if it originates from the official's electronic mail address and includes also the official's handwritten signature. The resignation shall be effective at the next regular or special meeting of the city legislative body occurring on or after the date specified in the written letter of resignation. If a resignation date is not specified, the written resignation shall be deemed to become effective at the first regular or special meeting of the legislative body occurring on or after its receipt.

(8) Pursuant to KRS 118.305(7), if a vacancy occurs which is required by law to be filled temporarily by appointment, the legislative body or the Governor, whichever is designated to make the appointment, shall immediately notify in writing both the county clerk and the Secretary of State of the vacancy.

(9) Except in cities of the first class, any elected officer, in case of misconduct,

1 incapacity, or willful neglect in the performance of the duties of his or her office,
2 may be removed from office by a unanimous vote of the members of the legislative
3 body exclusive of any member to be removed, who shall not vote in the deliberation
4 of his or her removal. No elected officer shall be removed without having been
5 given the right to a full public hearing. The officer, if removed, shall have the right
6 to appeal to the Circuit Court of the county and the appeal shall be on the record.
7 No officer so removed shall be eligible to fill the office vacated before the
8 expiration of the term to which originally elected.

9 (10) Removal of an elected officer in cities of the first class shall be governed by the
10 provisions of KRS 83.660.

11 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 116 IS CREATED TO
12 READ AS FOLLOWS:

13 (1) The State Board of Elections shall compare on a monthly basis the statewide
14 voter registration system against the Systematic Alien Verification for
15 Entitlements (SAVE) Program, or its successor program, operated by the United
16 States Department of Homeland Security, to identify individuals who are not
17 citizens of the United States who are registered to vote in this state.

18 (2) Upon receipt of information from the SAVE Program indicating that a registered
19 voter is not a citizen of the United States, the State Board of Elections shall
20 within five (5) days:

21 (a) Cause the removal of the name of that person from the voter registration
22 records it maintains, except that a voter's name shall not be removed during
23 the period of time the registration books are closed for any primary,
24 general, or special election; and

25 (b) Forward the name, date of birth, last known address, and voter registration
26 record of the removed individual to the Attorney General for the purpose of
27 determining if an election-related crime has occurred and whether

1 prosecution is warranted under state law.

2 (3) (a) Following the purge of a name from the records of the State Board of
3 Elections:

4 1. The state board shall notify the clerk of the county in which the voter
5 lived of the action; and

6 2. The county clerk shall within ten (10) days update the county voter
7 registration files to reflect the necessary change.

8 (b) 1. If a protest is filed by the voter, the county board shall hear it at its
9 next regular monthly meeting.

10 2. If the county board decides in favor of the protesting voter, the voter's
11 registration record shall be restored, including his or her voting
12 record.

13 3. If the protest is filed while the registration books are closed and the
14 county board decides in favor of the protesting voter, the county board
15 shall issue the voter an "Authorization to Vote" for the upcoming
16 election and the voter's record shall be restored when the registration
17 books open following the election.

18 ➔Section 4. KRS 116.113 is amended to read as follows:

19 (1) (a) Upon receipt of notification from the Cabinet for Health and Family Services
20 or other reliable sources of the death of a person, the State Board of Elections
21 shall within five (5) days cause the removal of the name of that person from
22 the voter registration records it maintains, except that no voter's name may be
23 removed during the period of time the registration books are closed for any
24 primary, general, or special election.

25 (b) To ensure that the State Board of Elections accurately removes names from
26 the voter registration records it maintains, the Cabinet for Health and Family
27 Services shall provide a copy of the lifetime Kentucky death records to the

1 State Board of Elections on or before July 1 of each year.

2 (2) Upon receipt of notification from the circuit clerk that a person has been declared
3 incompetent, the State Board of Elections shall within five (5) days cause the
4 removal of the name of that person from the voter registration records it maintains,
5 except that no voter's name may be removed during the period of time the
6 registration books are closed for any primary, general, or special election.

7 (3) Upon receipt of notification from the Administrative Office of the Courts that a
8 person has been excused from jury duty for not being a citizen of the United States,
9 the State Board of Elections shall within five (5) days cause the removal of the
10 name of that person from the voter registration records it maintains, except that no
11 voter's name may be removed during the period of time the registration books are
12 closed for any primary, general, or special election.

13 (4) Upon receipt of notification from the Administrative Office of the Courts or the
14 United States Department of Justice that a person has been convicted of a felony
15 offense, including persons convicted of a felony offense whose case is currently
16 on appeal, the State Board of Elections shall within five (5) days cause the removal
17 of the name of that person from the voter registration records it maintains, except
18 that no voter's name may be removed during the period of time the registration
19 books are closed for any primary, general, or special election.

20 (5) Upon receipt of notification from a local or state jurisdiction that a voter has
21 registered to vote in the new local or state jurisdiction outside of the
22 Commonwealth, the State Board of Elections shall within five (5) days cause the
23 removal of the name of that person from the voter registration records that it
24 maintains, except that no voter's name may be removed during the period of time
25 the registration books are closed for any primary, regular election, or special
26 election.

27 (6) (a) Following the purge of a name from the records of the State Board of

1 Elections;[,-]

2 1. The state board shall notify the clerk of the county in which the voter
3 lived of the action; and

4 2. The county clerk shall within ten (10) days update the county voter
5 registration files to reflect the necessary change.

6 (b) 1. If a protest is filed by the voter, the county board shall hear it at its next
7 regular monthly meeting.

8 2. If the county board decides in favor of the protesting voter, the voter's
9 registration record shall be restored, including his or her voting record.

10 3. If the protest is filed while the registration books are closed and the
11 county board decides in favor of the protesting voter, the county board
12 shall issue the voter an "Authorization to Vote" for the upcoming
13 election and the voter's record shall be restored when the registration
14 books open following the election.

15 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 117 IS CREATED TO
16 READ AS FOLLOWS:

17 (1) As used in this section, "cast vote record" means the electronic record produced
18 by a voting system that reflects the selections made on an individual ballot, in a
19 format that does not contain any voter-identifying information.

20 (2) After final certification of an election, the county clerk may make available to the
21 public, in electronic form through the use of a ballot verifier software platform,
22 images of scanned ballots and the matching cast vote record, as long as it
23 contains no voter-identifying information. To allow for public viewing, counties
24 may permit online access without requiring an open records request in
25 accordance with KRS 61.870 to 61.884. The use of a software platform for public
26 viewing shall be permissive, not mandatory.

27 (3) If a county chooses to use a ballot verifier software platform, a county clerk may

1 use the software platform to perform automated audits on ballot images and cast
2 vote records in addition to any audits required by law, for analytical purposes
3 only. However, to ensure anonymity and voter privacy, jurisdictions or contests
4 with less than ten (10) votes cast shall not be displayed as a group. Those images
5 of ballots or cast vote records shall be displayed as part of a larger jurisdiction.

6 (4) This section shall not be construed to permit the release of:

7 (a) Voted paper ballots;

8 (b) Ballot images that contain identifying marks; or

9 (c) Any data that would reasonably risk revealing how any identifiable voter
10 cast his or her vote.

11 (5) The State Board of Elections may promulgate administrative regulations in
12 accordance with KRS Chapter 13A to establish uniform standards for formatting,
13 publication, and redaction of images of ballots and cast vote records.

14 ➔Section 6. KRS 117.125 is amended to read as follows:

15 No voting system or voting equipment shall be approved for use ~~after January 1, 2024,~~
16 ~~by~~ the State Board of Elections, either upon initial examination or reexamination, and no
17 voting equipment or voting system shall be purchased after the effective date of this
18 Act~~[July 14, 2022]~~, unless the system and equipment has been certified under KRS
19 117.379 and is so constructed that it shall:

20 (1) Ensure secrecy to the voter in the act of voting so that no person can see or know
21 for whom any other voter has voted or is voting, except for those voters requiring
22 assistance under KRS 117.255;

23 (2) Permit votes to be cast for any candidate entitled to have his or her name printed
24 upon the ballots at any primary, regular election, or special election, and for or
25 against any public question entitled to be placed upon the ballots;

26 (3) Except at a primary, permit a voter to vote for all the candidates of one (1) party or
27 for one (1) or more candidates of every party having candidates entitled to be voted

- 1 for, or for one (1) or more independent, political organization, or political group
2 candidates;
- 3 (4) Permit a voter to vote for as many persons for an office as the voter is lawfully
4 entitled to vote for, and no more;
- 5 (5) Prevent a voter from voting for more persons for any office than the voter is entitled
6 to vote for, and from voting for the same person, or for or against the same
7 question, more than once;
- 8 (6) Permit a voter to vote for or against any question the voter may have the right to
9 vote on, but no other;
- 10 (7) Provide for a nonpartisan ballot;
- 11 (8) Be capable of being adjusted for use in a primary so that a voter may not vote for
12 any person except those seeking nomination as candidates of the voter's party, as
13 candidates for a nonpartisan office, or as candidates for an office of the Court of
14 Justice;
- 15 (9) Permit each voter to vote for all the candidates for presidential electors of any party
16 by one (1) operation;
- 17 (10) Permit each voter to vote, in any regular or special election, for any person for
18 whom the voter desires to vote whose name does not appear upon the ballot by
19 providing a method of write-in voting;
- 20 (11) Be safe, efficient, and accurate in the conduct of elections, and correctly register
21 and accurately count all votes cast for each person, and for or against each public
22 question;
- 23 (12) (a) Provide each voter an opportunity to verify votes recorded on the permanent
24 paper ballot, either visually or using assistive voting technology, by producing
25 a voter-verified paper audit trail;
- 26 (b) Provide each voter an opportunity to change votes or correct any error before
27 the voter's ballot is cast and counted; and

- 1 (c) Provide a voter who spoils his or her ballot another ballot as provided under
2 this chapter;
- 3 (13) Use an individual, discrete, permanent, paper ballot cast by the voter for tabulating
4 purposes;
- 5 (14) Preserve the paper ballot as an official record available for use in any audit or
6 recount;
- 7 (15) Be suitably designed for the purpose used, constructed of a durable material, and
8 safely transportable;
- 9 (16) Be capable of determining whether the voting equipment has been unlocked and
10 operated or adjusted in any manner after once being locked;
- 11 (17) Have a public counter with a register which is visible from the outside of the
12 counter or device that will show at all times during an election how many persons
13 have voted;
- 14 (18) Have a protective cumulative counter indicating the number of votes cast for each
15 person, and the votes cast for or against each public question which cannot be seen,
16 reset, or tampered with without unlocking a covering device by a key or other
17 security apparatus that cannot unlock any other part of the equipment, and which
18 prevents changes to the cumulative counter once the system has been put into
19 operation on the day of any election;
- 20 (19) Provide for the tabulating of votes at the precinct as required under KRS 117.275;
- 21 (20) Provide locks or other security apparatus by which the operation of the voting
22 equipment may be locked before the time for opening the polls and after the time
23 for closing the polls;
- 24 (21) Permit a voter to readily learn the method of operating it, to expeditiously cast a
25 vote for all candidates and on all questions of the voter's choice, and when operated
26 properly, register and record correctly and accurately every vote cast;
- 27 (22) Bear a number or other unique designation that will distinguish it from any other

- 1 voting equipment or voting system;
- 2 (23) Produce a real-time audit log record for the voting system, and produce a paper
- 3 record with a manual audit capacity which shall be available as an official record
- 4 for any recount conducted related to any primary or election in which the system is
- 5 used;
- 6 (24) Be accessible for individuals with impairments, including nonvisual accessibility
- 7 for the blind or visually impaired, in a manner that provides the same opportunity
- 8 for access and participation, including privacy and independence, as for other
- 9 voters;
- 10 (25) Prohibit voting equipment that tabulates or aggregates votes used in official results
- 11 from connecting to any network, including the internet, or communicating with any
- 12 device external to the voting system;
- 13 (26) Prohibit voting equipment that utilizes non-human readable codes, including but
- 14 not limited to barcodes, OR codes, or other encrypted markings, to represent or
- 15 tabulate a voter's choices;
- 16 (27) Meet or exceed the standards for a voting system established by the Election
- 17 Assistance Commission, as amended from time to time, and those approved under
- 18 KRS 117.379; and
- 19 (28)~~(27)~~ Meet such other requirements as may be established by the State Board of
- 20 Elections in administrative regulations promulgated in accordance with~~under~~
- 21 KRS Chapter 13A to reflect changes in technology to ensure the integrity and
- 22 security of voting systems.
- 23 ➔Section 7. KRS 117.383 is amended to read as follows:
- 24 The State Board of Elections shall promulgate administrative regulations in accordance
- 25 with~~under~~ KRS Chapter 13A which shall maintain the maximum degree of correctness,
- 26 impartiality, and efficiency of the procedures of voting and shall provide methods to:
- 27 (1) Count, tabulate, and record votes;

- 1 (2) Place items on any ballot which shall, as closely as possible, follow the
2 requirements pertaining to ballots;
- 3 (3) Design the ballots to include a system to ensure an accurate record of all voting
4 activities;
- 5 (4) Instruct voters in the use of the voting system, including any ballot marking device;
- 6 (5) Provide for checking the accuracy of the voting system;
- 7 (6) Provide necessary supplies, including those necessary for a write-in vote, to ensure
8 voter privacy;
- 9 (7) Provide for the conducting and review of an audit of any component of a voting
10 system or any voting equipment, and a review of any audit log;
- 11 (8) Provide for the conducting and review of an election audit which shall establish the
12 protocol by which ballots are checked, compared, and verified with the results
13 produced by vote tallying equipment to ensure accuracy through a hand-to-eye
14 audit defined and conducted as follows:
- 15 (a) To validate the accuracy and fidelity of the vote tabulation, the Secretary of
16 State or his or her designee shall randomly select, in all counties of the
17 Commonwealth, one (1) ballot scanner and one (1) race tabulated on that
18 scanner, which shall have more than ten (10) votes cast, for a hand-to-eye
19 audit to be performed by each county board of elections or its designee.
20 Counties shall send a list for selection to the Secretary of State's Office that
21 only includes ballot scanners which recorded more than ten (10) votes cast;
- 22 (b) The sealed ballot boxes and signed tabulator tally tape or record from election
23 day, as established in KRS 117.275, shall be provided by the county board of
24 elections at an agreed upon location, and shall be accessible for public
25 viewing. The sealed ballots are only to be unsealed in the presence of the
26 county board of elections or its designee and public witnesses;
- 27 (c) A minimum of two (2) qualified poll workers, not of the same political party,

1 shall be selected from lists of available volunteers, sworn in by the county
2 board of elections or its designee to do the hand-to-eye audit, and
3 compensated at the local poll worker rate. A video recording device shall be
4 used for recording the event and it may be streamed for public internet
5 viewing. A request under the Kentucky Open Records Act, KRS 61.870 to
6 61.884, for this video after an election shall be made during the sixty (60)
7 consecutive days following the election, and the video may be disposed of
8 after those sixty (60) days, or upon compliance with the Kentucky Open
9 Records Act or the closure of an investigation or any litigation, including
10 appeals, in a District, Circuit, or federal court, whichever is later;

11 (d) Ballots are to be aligned for stacking as needed, then viewed one (1) at a time,
12 with each volunteer making a tally mark on a tally sheet for each vote cast for
13 each candidate. Any ballots that are disputed or unclearly marked shall be set
14 aside and the county board of elections or its designee shall determine voter
15 intent;

16 (e) Once the hand-to-eye audit is completed, each volunteer shall add up the tally
17 marks for each candidate, write down a total number of votes for each
18 candidate, and sign the tally sheet. The county board of elections or its
19 designee shall verify if the two (2) separate hand-to-eye tallies match. If the
20 two (2) hand-to-eye tallies do not match each other, the process must be
21 repeated until the totals are matching. Once this occurs, the county board of
22 elections or its designee shall also verify the tallies by signing each tally sheet.
23 Then, the ballots must be returned to the ballot box and resealed in the
24 presence of the county board of elections or its designee and public witnesses;

25 (f) The county board of elections or its designee shall compare the signed register
26 tape total from the vote tabulation machine on election day to the hand-to-eye
27 tallies. If there is a discrepancy between the machine count and the hand-to-

- 1 eye audit, other than instances of voter intent markings outside the designated
2 marking area on the paper ballot that were unreadable by the scanner, or
3 unscanned overvotes resulting from two (2) or more voter intent marks on the
4 same race, the county board of elections or its designee shall open an election
5 investigation including a review of election day irregularity reports. If more
6 discrepancies are found, the county board of elections or its designee shall
7 broaden the investigation until the reason for the discrepancy is discovered
8 and subsequently resolved. A determination as to whether the outcome of the
9 race could have been impacted by the discrepancies shall be made and any
10 findings shall be reported to the Attorney General and Secretary of State; and
- 11 (g) The county board of elections or its designee shall examine the electronic or
12 paper sign-in records from the precinct or vote center and validate that the
13 ballots cast and recounted were less than or equal to the sign-in records for
14 that precinct or vote center. If the cast ballots for the precinct or vote center
15 exceed the number of voters on the sign-in records for the precinct or vote
16 center, the county board of elections shall open an election investigation and
17 report the findings to the Attorney General and Secretary of State;
- 18 (9) Provide a method for maintaining sufficient documents, including ballots and
19 records, so that votes can be recounted;
- 20 (10) Ensure the county board of elections produces accurate precinct-by-precinct
21 summaries of tabulation sheets showing the results of each precinct during in-
22 person absentee voting, election day voting, and when a county is approved to use a
23 vote center;
- 24 (11) Except as otherwise required in this chapter, all records and papers relating to
25 specified elections be retained for twenty-two (22) months, such documents and
26 records shall be maintained for thirty (30) days following an election; and
- 27 (12) Unless contrary to the Help America Vote Act of 2002, ensure that all federal

1 provisional voting shall be conducted in a manner as prescribed by KRS Chapters
2 116 to 120.

3 ➔Section 8. KRS 118.176 is amended to read as follows:

4 (1) A "bona fide" candidate means one who is seeking nomination in a primary or
5 election in a special or regular election according to law.

6 (2) The bona fides of any candidate seeking nomination as the nominee of a political
7 party or a nonpartisan or judicial nominee in a primary or election to an office as a
8 member of a political organization, political group, or as an independent in a special
9 or regular election may be questioned by any qualified voter entitled to vote for the
10 candidate or by an opposing candidate by summary proceedings consisting of a
11 motion before the Circuit Court of the judicial circuit in which the candidate whose
12 bona fides is questioned resides. An action regarding the bona fides of the nominee
13 of a political party or a nonpartisan or judicial nominee may be commenced at any
14 time prior to the primary. An action regarding the bona fides for election to an
15 office as a member of a political organization, political group, or as an independent
16 may be commenced at any time prior to a special or regular election. The motion
17 shall be tried summarily and without delay. Proof may be heard orally, and upon
18 motion of either party shall be officially reported. If the Circuit Judge of the circuit
19 in which the proceeding is filed is disqualified or absent from the county or is
20 herself or himself a candidate, the proceeding may be presented to, heard and
21 determined by the Circuit Judge of any adjoining judicial circuit.

22 (3) In any action or proceeding under this section the burden of proof as to the bona
23 fides of a candidate shall be on the person challenging the bona fides of a candidate.

24 (4) If the court finds the candidate is not a bona fide candidate:

25 (a) It shall so order, and certify the fact to the board of elections, and the
26 candidate's name shall be stricken from the written designation of election
27 officers filed with the board of elections or the court may refuse recognition

1 or relief in a mandatory or injunctive way;[-]

2 (b) The order of the Circuit Court shall be entered on the order book of the court
3 and shall be subject to a motion to set aside in the Court of Appeals. The
4 motion shall be heard by the Court of Appeals or a judge thereof in the
5 manner provided for dissolving or granting injunctions, except that the motion
6 shall be made before the court or judge within five (5) days after the entry of
7 the order in the Circuit Court, and may be heard and tried upon the original
8 papers, and the order of the Court of Appeals or judge thereof shall be final;
9 and

10 (c) The person bringing the action shall be entitled to and awarded his or her
11 reasonable attorney's fees, expert witness fees, and other court costs for trial
12 and appeal, and those fees and costs shall be taxed against the candidate or
13 his or her campaign committee after the timely filing of a bill of costs with
14 the Circuit Court.

15 (5) No person shall approach the Circuit Judge for the purpose or view of influencing
16 his or her decision on the motion pending before the Circuit Judge or to be tried by
17 him or her.

18 ➔SECTION 9. A NEW SECTION OF KRS CHAPTER 118A IS CREATED TO
19 READ AS FOLLOWS:

20 (1) A candidate for judicial office may publicly disclose his or her political party
21 affiliation, including but not limited to:

22 (a) Identifying themselves as a member of a political party;

23 (b) Stating current voter registration status or past or current party affiliation;
24 and

25 (c) Communicating political values or viewpoints consistent with his or her
26 party affiliation.

27 (2) A candidate for judicial office shall not:

1 (a) Claim to be the official nominee of a political party for judicial office;

2 (b) Use language or materials that imply nomination, designation, or
3 endorsement by a political party; or

4 (c) Use party symbols, slogans, or imagery in a manner that would mislead a
5 reasonable person to believe the candidate is running in a partisan election
6 or was selected by a political party to represent it.

7 (3) This section shall not be construed to authorize partisan elections for judicial
8 office or to permit political party nomination, designation, or ballot labeling of
9 candidates for judicial office.

10 ➔Section 10. KRS 120.165 is amended to read as follows:

11 (1) A contest instituted under KRS 120.155 shall proceed as equity actions. Upon
12 return of the summons properly executed to the office of the circuit clerk, he or she
13 shall immediately docket the case and notify the presiding judge of the court that
14 the contest has been filed. The judge shall proceed to a trial of the cause without
15 delay. In courts having more than one (1) judge, the judge who shall try the case
16 shall be determined by lot. The court shall complete the case as soon as practicable.
17 The action shall have precedence over all other cases.

18 (2) The evidence in chief for the contestant shall be completed within thirty (30) days
19 after service of summons; the evidence for the contestee shall be completed within
20 twenty-five (25) days after filing of answer, and evidence for contestant in rebuttal
21 shall be completed within seven (7) days after the contestee has concluded;
22 provided that for cause the court may grant a reasonable extension of time to either
23 party.

24 (3) All voting machines, voting equipment, or voting systems, ballots, stub books, and
25 other papers concerning which there is any ground for contest may be removed to
26 the court in which the action is pending.

27 (4) If it appears from an inspection of the whole record that there has been such fraud,

1 intimidation, bribery, or violence in the conduct of the election that neither
2 contestant nor contestee can be judged to have been fairly elected, the Circuit
3 Court, or an appellate court~~[-]~~ on appeal, may adjudge that there has been no
4 election. In that event the office shall be deemed vacant, with the same legal effect
5 as if the person elected had refused to qualify. **In the event a majority of the offices**
6 **of a legislative body are deemed vacant under subsection (5)(b) of Section 2 of**
7 **this Act, the county clerk and local board of elections shall call a special election**
8 **of the bona fide candidates who previously qualified as soon as practicable,**
9 **within at least forty-five (45) days of the declaration of vacancies becoming final**
10 **orders.** If one (1) of the parties is adjudged by the court to be elected to the office,
11 he or she shall, on production of a copy of the final judgment, be permitted to
12 qualify or be commissioned.

13 **(5) If an election contest brought under this section is successful, as determined by**
14 **the Circuit Court or an appellate court on appeal, the contestant shall be entitled**
15 **to recover reasonable attorney's fees, expert witness fees, and other court costs.**
16 **The fees and costs shall be taxed by the court against the local board of elections**
17 **or against any party adjudicated to have engaged in fraud, intimidation, bribery,**
18 **or violence that prevented either the contestant or contestee from being fairly**
19 **elected.**

20 ➔Section 11. KRS 121.015 is amended to read as follows:

21 As used in this chapter:

- 22 (1) "Registry" means the Kentucky Registry of Election Finance;
- 23 (2) "Election" means any primary, regular, or special election to fill vacancies
24 regardless of whether a candidate or slate of candidates is opposed or unopposed in
25 an election. Each primary, regular, or special election shall be considered a separate
26 election;
- 27 (3) "Committee" includes the following:

- 1 (a) "Campaign committee," which means one (1) or more persons who receive
2 contributions and make expenditures to support or oppose one (1) or more
3 specific candidates or slates of candidates for nomination or election to any
4 state, county, city, or district office, that is authorized by the candidate or slate
5 of candidates to receive contributions, make expenditures, and generally
6 conduct a campaign for the candidate or slate of candidates, but does not
7 include an entity established solely by a candidate which is managed solely by
8 a candidate and a campaign treasurer and whose name is generic in nature,
9 such as "Friends of (the candidate)," and does not reflect that other persons
10 have structured themselves as a committee, designated officers of the
11 committee, and assigned responsibilities and duties to each officer with the
12 purpose of managing a campaign to support or oppose a candidate in an
13 election;
- 14 (b) "Independent expenditure-only committee," which means one (1) or more
15 persons who receive unlimited contributions for the purpose of making only
16 independent expenditures to support or oppose one (1) or more specific
17 candidates or slates of candidates for nomination or election to any state,
18 county, city, or district office;
- 19 (c) "Caucus campaign committee," which means members of one (1) of the
20 following caucus groups who receive contributions and make expenditures to
21 support or oppose one (1) or more specific candidates or slates of candidates
22 for nomination or election, or a committee:
- 23 1. House Democratic caucus campaign committee;
 - 24 2. House Republican caucus campaign committee;
 - 25 3. Senate Democratic caucus campaign committee;
 - 26 4. Senate Republican caucus campaign committee; or
 - 27 5. Subdivisions of the state executive committee of a minor political party,

1 which serve the same function as the above-named committees, as
2 determined by regulations promulgated by the registry;

3 (d) "Political issues committee," which means three (3) or more persons joining
4 together to advocate or oppose a ballot measure if that committee receives or
5 expends money in excess of one thousand dollars (\$1,000);

6 (e) "Permanent committee," which means a group of individuals, including an
7 association, committee, or organization, other than a campaign committee,
8 independent expenditure-only committee, federally registered political
9 committee, political issues committee, inaugural committee, caucus campaign
10 committee, or party executive committee, which is established as, or intended
11 to be, a permanent organization having as a primary purpose expressly
12 advocating the election or defeat of one (1) or more clearly identified
13 candidates, slates of candidates, or political parties, which functions on a
14 regular basis throughout the year;

15 (f) ~~[An]~~"Executive committee of a political party," *which means a political*
16 *committee that is a subdivision of a national political party committee and*
17 *operates within the structure and under the supervision of the state*
18 *executive committee of that same political party. Political parties may*
19 *support candidates for public office, raise and spend money for their*
20 *internal operations, and are governed by a committee that is elected by the*
21 *voters in that subdivision in a manner not inconsistent with the rules of that*
22 *same political party*; and

23 (g) "Inaugural committee," which means one (1) or more persons who receive
24 contributions and make expenditures in support of inauguration activities for
25 any candidate or slate of candidates elected to any state, county, city, or
26 district office;

27 (4) "Contributing organization" means a group which merely contributes to candidates,

1 slates of candidates, campaign committees, caucus campaign committees, or
2 executive committees from time to time from funds derived solely from within the
3 group, and which does not solicit or receive funds from sources outside the group
4 itself. Any contributions made by the groups in excess of one hundred dollars
5 (\$100) shall be reported to the registry;

6 (5) "Testimonial affair" means an affair held in honor of a person who holds or who is
7 or was a candidate for nomination or election to a political office in this state
8 designed to raise funds for any purpose not charitable, religious, or educational;

9 (6) "Contribution" means any:

10 (a) Payment, distribution, loan, deposit, or gift of money or other thing of value,
11 to a candidate, his or her agent, a slate of candidates, its authorized agent, a
12 committee, or contributing organization. As used in this subsection, "loan"
13 shall include a guarantee, endorsement, or other form of security where the
14 risk of nonpayment rests with the surety, guarantor, or endorser, as well as
15 with a committee, contributing organization, candidate, slate of candidates, or
16 other primary obligor. No person shall become liable as surety, endorser, or
17 guarantor for any sum in any one (1) election which, when combined with all
18 other contributions the individual makes to a candidate, his or her agent, a
19 slate of candidates, its agent, a committee, or a contributing organization,
20 exceeds the contribution limits provided in KRS 121.150;

21 (b) Payment by any person other than the candidate, his or her authorized
22 treasurer, a slate of candidates, its authorized treasurer, a committee, or a
23 contributing organization, of compensation for the personal services of
24 another person which are rendered to a candidate, slate of candidates,
25 committee, or contributing organization, or for inauguration activities;

26 (c) Goods, advertising, or services with a value of more than one hundred dollars
27 (\$100) in the aggregate in any one (1) election which are furnished to a

- 1 candidate, slate of candidates, committee, or contributing organization or for
2 inauguration activities without charge, or at a rate which is less than the rate
3 normally charged for the goods or services; or
- 4 (d) Payment by any person other than a candidate, his or her authorized treasurer,
5 a slate of candidates, its authorized treasurer, a committee, or contributing
6 organization for any goods or services with a value of more than one hundred
7 dollars (\$100) in the aggregate in any one (1) election which are utilized by a
8 candidate, slate of candidates, committee, or contributing organization, or for
9 inauguration activities;
- 10 (7) Notwithstanding the foregoing meanings of "contribution," the word shall not be
11 construed to include:
- 12 (a) Services provided without compensation by individuals volunteering a portion
13 or all of their time on behalf of a candidate, a slate of candidates, committee,
14 or contributing organization;
- 15 (b) A loan of money by any financial institution doing business in Kentucky
16 made in accordance with applicable banking laws and regulations and in the
17 ordinary course of business; or
- 18 (c) An independent expenditure by any individual or permanent committee;
- 19 (8) "Candidate" means any person who has received contributions or made
20 expenditures, has appointed a campaign treasurer, or has given his or her consent
21 for any other person to receive contributions or make expenditures with a view to
22 bringing about his or her nomination or election to a nonfederal public office,
23 except as provided in KRS 121.180(10)(b);
- 24 (9) "Slate of candidates" means:
- 25 (a) Between the time a certificate or petition of nomination has been filed for a
26 candidate for the office of Governor under KRS 118.365 and the time the
27 candidate designates a running mate for the office of Lieutenant Governor

1 under KRS 118.126, a slate of candidates consists of the candidate for the
2 office of Governor; and

3 (b) After that candidate has designated a running mate under KRS 118.126, that
4 same slate of candidates consists of that same candidate for the office of
5 Governor and the candidate's running mate for the office of Lieutenant
6 Governor. Unless the context requires otherwise, any provision of law that
7 applies to a candidate shall also apply to a slate of candidates;

8 (10) "Knowingly" means, with respect to conduct or to a circumstance described by a
9 statute defining an offense, that a person is aware or should have been aware that
10 his or her conduct is of that nature or that the circumstance exists;

11 (11) "Fundraiser" means an individual who directly solicits and secures contributions on
12 behalf of a candidate or slate of candidates for a statewide-elected state office or an
13 office in a jurisdiction with a population in excess of two hundred thousand
14 (200,000) residents;

15 (12) "Independent expenditure" means:

16 (a) The expenditure of money or other things of value for a communication which
17 expressly advocates the election or defeat of a clearly identified candidate or
18 slate of candidates, and which:

19 1. Is made without any coordination, consultation, or cooperation with any
20 candidate, slate of candidates, campaign committee, or any authorized
21 person acting on behalf of any of them; and

22 2. Is not made in concert with, or at the request or suggestion of any
23 candidate, slate of candidates, campaign committee, or any authorized
24 person acting on behalf of any of them; or

25 (b) The expenditure of money or other things of value for a communication which
26 expressly advocates or opposes a ballot measure, and which:

27 1. Is made without any coordination, consultation, or cooperation with any

- 1 political issues committee, or any authorized person acting on behalf of
2 a political issues committee; and
- 3 2. Is not made in concert with, or at the request or suggestion of, any
4 political issues committee, or any authorized person acting on behalf of
5 a political issues committee;
- 6 (13) "Electronic reporting" means the use of technology, having electrical, digital,
7 magnetic, wireless, optical, electromagnetic, or similar capabilities, by which an
8 individual or other entity submits, compiles, or transmits campaign finance reports
9 to the registry, or by which the registry receives, stores, analyzes, or discloses the
10 reports;
- 11 (14) "Security procedure" means a procedure employed for the purpose of verifying that
12 an electronic signature, record, or performance is that of a specific person or for
13 detecting changes or errors in the information in an electronic record. The term
14 includes a procedure that requires the use of algorithms or other codes, identifying
15 words or numbers, encryption, or callback or other acknowledgment procedures;
- 16 (15) "Electronic signature" means an electronic sound, symbol, or process attached to or
17 logically associated with a record and executed or adopted by a person with the
18 intent to sign the record;
- 19 (16) "Filer" means any candidate, a slate of candidates, committee, or other individual or
20 entity required to submit financial disclosure reports to the registry;
- 21 (17) "Filer-side software" means software provided to or used by the filer that enables
22 transmittal of financial reports to the registry;
- 23 (18) "Form" means an online web page or an electronic document designed to capture,
24 validate, and submit data for processing to the registry, unless the context otherwise
25 prescribes;
- 26 (19) "Reasonable cause" means an event, happening, or circumstance entirely beyond
27 the knowledge or control of the candidate, slate of candidates, or committee, which

1 has exercised due care and prudence in maintaining the records of the campaign or
2 committee pursuant to statute or administrative regulation;

3 (20) "Foreign national" means:

4 (a) An individual who is not a citizen or lawful permanent resident of the United
5 States;

6 (b) A government, political subdivision, or municipality of a foreign country;

7 (c) A foreign political party;

8 (d) Any entity, including but not limited to a partnership, association, corporation,
9 organization, or other combination of persons, that is organized under the
10 laws of or has its principal place of business in a foreign country; or

11 (e) Any entity in the United States, including but not limited to a partnership,
12 association, corporation, or organization that is wholly or majority owned by
13 any foreign national, unless:

14 1. Any contribution or expenditure the entity makes derives entirely from
15 funds generated by the entity's United States operations; and

16 2. All decisions concerning the contribution or expenditure, except for
17 setting overall budget amounts, are made by individuals who are United
18 States citizens or permanent residents;

19 (21) "Ballot measure" means a question, other than the nomination or election of a
20 candidate for public office, which has been:

21 (a) Approved by a political subdivision or the General Assembly and is required
22 by law to be placed before the voters of the territory affected; or

23 (b) Initiated or referred by citizen petition as authorized by KRS 242.020 and
24 placed before the voters of the territory affected;

25 (22) "Preliminary activity" includes but is not limited to:

26 (a) Participating in focus groups;

27 (b) Making telephone calls;

- 1 (c) Traveling;
- 2 (d) Conducting polls; and
- 3 (e) Drafting ballot measure language; and

4 (23) "Tax-exempt organization" means an organization described in 26 U.S.C. sec.
5 501(c) and exempt from federal taxation under 26 U.S.C. sec. 501(a). This
6 subsection shall not be construed to treat a political organization under 26 U.S.C.
7 sec. 527 as a tax-exempt organization for purposes of this chapter.

8 ➔Section 12. KRS 121.150 is amended to read as follows:

- 9 (1) No contribution shall be made or received, directly or indirectly, other than an
10 independent expenditure, to support inauguration activities or to support or defeat a
11 candidate, slate of candidates, constitutional amendment, or public question which
12 will appear on the ballot in an election, except through the duly appointed campaign
13 manager, or campaign treasurer of the candidate, slate of candidates, or registered
14 committee. Any person making an independent expenditure, shall report these
15 expenditures when the expenditures by that person exceed five hundred dollars
16 (\$500) in the aggregate in any one (1) election, on a form provided or using a
17 format approved by the registry and shall sign a statement on the form, under
18 penalty of perjury, that the expenditure was an actual independent expenditure and
19 that there was no prior communication with the campaign on whose behalf it was
20 made.
- 21 (2) Except as provided in KRS 121.180(10), the solicitation from and contributions by
22 campaign committees, independent expenditure-only committees, caucus campaign
23 committees, political issues committees, permanent committees, and party
24 executive committees to any religious, charitable, civic, eleemosynary, or other
25 causes or organizations established primarily for the public good is expressly
26 prohibited; except that it shall not be construed as a violation of this section for a
27 candidate or a slate of candidates to contribute to religious, civic, or charitable

1 groups.

2 (3) No candidate, slate of candidates, committee, or contributing organization, nor
3 anyone acting on their behalf, shall accept any anonymous contribution in excess of
4 one hundred dollars (\$100), and all anonymous contributions in excess of one
5 hundred dollars (\$100) shall be returned to the donor, if the donor can be
6 determined. If no donor is found, the contribution shall escheat to the state. No
7 candidate, slate of candidates, committee, or contributing organization, nor anyone
8 acting on their behalf shall accept anonymous contributions in excess of two
9 thousand dollars (\$2,000) in the aggregate in any one (1) election. Anonymous
10 contributions in excess of two thousand dollars (\$2,000) in the aggregate which are
11 received in any one (1) election shall escheat to the state.

12 (4) No candidate, slate of candidates, committee, or contributing organization, nor
13 anyone on their behalf, shall accept a cash contribution in excess of one hundred
14 dollars (\$100) in the aggregate from each contributor in any one (1) election. No
15 candidate, slate of candidates, committee, or contributing organization, nor anyone
16 on their behalf, shall accept a cashier's check or money order in excess of the
17 maximum cash contribution limit unless the instrument clearly identifies both the
18 payor and the payee. A contribution made by cashier's check or money order which
19 identifies both the payor and payee shall be treated as a contribution made by check
20 for purposes of the contribution limits contained in this section. No person shall
21 make a cash contribution in excess of one hundred dollars (\$100) in the aggregate
22 in any one (1) election to a candidate, slate of candidates, committee, or
23 contributing organization, nor anyone on their behalf.

24 (5) No candidate, slate of candidates, committee, contributing organization, nor anyone
25 on their behalf, shall accept any contribution in excess of one hundred dollars
26 (\$100) from any person who shall not become eighteen (18) years of age on or
27 before the day of the next general election.

- 1 (6) Except as provided in subsection (22) of this section, no candidate, slate of
2 candidates, campaign committee, nor anyone acting on their behalf, shall accept a
3 contribution of more than two thousand dollars (\$2,000) as indexed for inflation
4 every odd-numbered year using the preceding year's percent increase in the non-
5 seasonally adjusted annual average Consumer Price Index for all Urban Consumers
6 (CPI-U), U.S. City Average, All Items, for that year as published by the United
7 States Bureau of Labor Statistics and rounded to the nearest hundred dollars, from
8 any person, permanent committee, or contributing organization in any one (1)
9 election. No person, permanent committee, or contributing organization shall
10 contribute more than two thousand dollars (\$2,000) as indexed for inflation every
11 odd-numbered year using the preceding year's percent increase in the non-
12 seasonally adjusted annual average Consumer Price Index for all Urban Consumers
13 (CPI-U), U.S. City Average, All Items, as published by the United States Bureau of
14 Labor Statistics and rounded to the nearest hundred dollars, to any one (1)
15 candidate, campaign committee, nor anyone acting on their behalf, in any one (1)
16 election.
- 17 (7) Permanent committees or contributing organizations affiliated by bylaw structure or
18 by registration, as determined by the Registry of Election Finance, shall be
19 considered as one (1) committee for purposes of applying the contribution limits of
20 subsection (6) of this section.
- 21 (8) No permanent committee shall contribute funds to another permanent committee for
22 the purpose of circumventing contribution limits of subsection (6) of this section. A
23 permanent committee or independent expenditure-only committee may make
24 unlimited contributions to an independent expenditure-only committee, or as
25 allowed by federal law to a federally registered political committee, provided that if
26 a contribution is earmarked for a particular independent expenditure, the person
27 making the independent expenditure shall disclose the contribution when reporting

- 1 the independent expenditure pursuant to subsection (1) of this section.
- 2 (9) No person shall contribute funds to a permanent committee, political issues
3 committee, or contributing organization for the purpose of circumventing the
4 contribution limits of subsection (6) of this section.
- 5 (10) No person shall contribute more than two thousand dollars (\$2,000) as indexed for
6 inflation every odd-numbered year using the preceding year's percent increase in
7 the non-seasonally adjusted annual average Consumer Price Index for all Urban
8 Consumers (CPI-U), U.S. City Average, All Items, for that year as published by the
9 United States Bureau of Labor Statistics and rounded to the nearest hundred dollars,
10 to a permanent committee or contributing organization in any one (1) year.
- 11 (11) (a) No person shall contribute more than five thousand dollars (\$5,000) to the
12 state executive committee of a political party in any one (1) year. The
13 contribution limit in this paragraph shall not apply to a contribution
14 designated exclusively for a state executive committee's building fund account
15 established under KRS 121.172.
- 16 (b) No person shall contribute more than five thousand dollars (\$5,000) to a
17 subdivision or affiliate of a state political party in any one (1) year.
- 18 (c) No person shall contribute more than five thousand dollars (\$5,000) to a
19 caucus campaign committee in any one (1) year.
- 20 (12) No person shall make a payment, distribution, loan, advance, deposit, or gift of
21 money to another person to contribute to a candidate, a slate of candidates,
22 committee, contributing organization, or anyone on their behalf. No candidate, slate
23 of candidates, committee, contributing organization, nor anyone on their behalf
24 shall accept a contribution made by one (1) person who has received a payment,
25 distribution, loan, advance, deposit, or gift of money from another person to
26 contribute to a candidate, a slate of candidates, committee, contributing
27 organization, or anyone on their behalf.

- 1 (13) Subject to the provisions of subsection (17) of this section, no candidate or slate of
2 candidates for nomination to any state, county, city, or district office, nor their
3 campaign committees, nor anyone on their behalf, shall solicit or accept
4 contributions for primary election expenses after the date of the primary. No person
5 other than the candidate or slate of candidates shall contribute for primary election
6 expenses after the date of the primary.
- 7 (14) Subject to the provisions of subsection (17) of this section, no candidate or slate of
8 candidates for any state, county, city, or district office at a regular election, nor their
9 campaign committees, nor anyone on their behalf, shall solicit or accept
10 contributions for regular election expenses after the date of the regular election. No
11 person other than the candidate or slate of candidates shall contribute for regular
12 election expenses after the date of the regular election.
- 13 (15) Subject to the provisions of subsection (17) of this section, no candidate or slate of
14 candidates for nomination or election to any state, county, city, or district office,
15 nor their campaign committees, nor anyone on their behalf, shall solicit or accept
16 contributions for special election expenses after the date of the special election. No
17 person other than the candidate or slate of candidates shall contribute for special
18 election expenses after the date of the special election.
- 19 (16) The provisions of subsections (13) and (14) of this section shall apply only to those
20 candidates in a primary or regular election which shall be conducted subsequent to
21 January 1, 1989. The provisions of subsection (15) of this section shall apply only
22 to those candidates or slates of candidates in a special election which shall be
23 conducted subsequent to January 1, 1993.
- 24 (17) A candidate, slate of candidates, or a campaign committee may solicit and accept
25 contributions after the date of a primary election, regular election, or special
26 election to defray necessary expenses that arise after the date of the election
27 associated with election contests, recounts, and recanvasses of a specific election,

1 complaints regarding alleged campaign finance violations that are filed with the
2 registry pertaining to a specific election, or other legal actions pertaining to a
3 specific election to which a candidate, slate of candidates, or campaign committee
4 is a party, and for repayment of debts and obligations owed by the campaign or
5 previous campaign for the same office. Reports of contributions received and
6 expenditures made after the date of the specific election shall be made in
7 accordance with KRS 121.180.

8 (18) No candidate, slate of candidates, committee, except a political issues committee,
9 independent expenditure-only committee, or contributing organization, nor anyone
10 on their behalf, shall knowingly accept a contribution from a corporation, directly
11 or indirectly, except to the extent that the contribution is designated to a state
12 executive committee's building fund account established under KRS 121.172.

13 (19) Nothing in this section shall be construed to restrict the ability of a corporation to
14 administer its permanent committee insofar as its actions can be deemed not to
15 influence an election as prohibited by KRS 121.025.

16 (20) No candidate, slate of candidates, or committee, nor anyone on their behalf, shall
17 solicit a contribution of money or services from a state employee, whether or not
18 the employee is covered by the classified service provisions of KRS Chapter 18A.
19 However, it shall not be a violation of this subsection for a state employee to
20 receive a solicitation directed to him as a registered voter in an identified precinct as
21 part of an overall plan to contact voters not identified as state employees.

22 (21) No candidate or slate of candidates for any office in this state shall accept a
23 contribution, including an in-kind contribution, which is made from funds in a
24 federal campaign account. No person shall make a contribution, including an in-
25 kind contribution, from funds in a federal campaign account to any candidate or
26 slate of candidates for any office in this state. **However, it shall not be a violation**
27 **of this subsection for a federal candidate to contribute to a party executive**

1 committee if the amount of the contribution does not exceed the contribution
2 limit contained in subsection (11) of this section, and if the contribution is not
3 earmarked for a particular candidate or slate of candidates.

4 (22) It shall be permissible for a married couple to make a contribution with one (1)
5 check that reflects the combined individual contribution limits of each individual
6 spouse per election, as set forth in subsection (6) of this section, for all elections in
7 a calendar year and the following shall be required to be written on the check:

- 8 (a) The signatures of both spouses on the signature line of the check; and
9 (b) The designation of each contribution amount and the election or elections to
10 which they apply shall be memorialized on the memo line of the check.

11 (23) Nothing in this section or in any other provision of this chapter shall be
12 construed to prohibit a qualified political party committee, including a state or
13 county executive committee, from endorsing, supporting, opposing, or making
14 otherwise lawful contributions or expenditures supporting or opposing a
15 candidacy designated as nonpartisan under state law. The endorsement, support,
16 or opposition by a political party committee shall not affect the nonpartisan status
17 of the office or the candidate.

18 ➔Section 13. Whereas, it is critically important to protect the integrity and
19 reliability of the electoral process in order to safeguard the fundamental right to vote, and
20 it is a reasonable legislative task to seek improvement, modernization, and transparency
21 in campaign finance and election procedures without undue delay in notice to the people
22 of the Commonwealth and its election officials tasked with administering the election
23 laws within this state, an emergency is declared to exist, and this Act takes effect upon its
24 passage and approval by the Governor or upon its otherwise becoming a law.