

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, who at the time of signing are of the same~~  
13 ~~party as the candidate and from the district or jurisdiction from which the candidate~~  
14 ~~seeks nomination. Signatures for nomination papers]~~ shall not be affixed on the  
15 document to be filed prior to the first Wednesday after the first Monday in  
16 November of the year preceding the year in which the office will appear on the  
17 ballot. The notification and declaration for a candidate shall include the following  
18 oath:

19 "For the purpose of having my name placed on the official primary election  
20 ballot as a candidate for nomination by the ----- Party, I, ----- (name in full as  
21 desired on the ballot as provided in KRS 118.129), do solemnly swear that my date  
22 of birth is ----- (month/day/year), that my residence address is ----- (street, route,  
23 highway, city if applicable, county, state, and zip code), that my mailing address, if  
24 different, is ----- (post office address), and that I am a registered ----- (party) voter;  
25 that I believe in the principles of the ----- Party, and intend to support its principles  
26 and policies; that I meet all the statutory and constitutional qualifications for the  
27 office which I am seeking; that if nominated as a candidate of such party at the

1       ensuing election I will accept the nomination and not withdraw for reasons other  
2       than those stated in KRS 118.105(3); that I will not knowingly violate any election  
3       law or any law relating to corrupt and fraudulent practice in campaigns or elections  
4       in this state, and if finally elected I will qualify for the office."

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

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

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

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

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

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

1        signature~~[Signatures for nomination papers]~~ shall not be affixed on the document  
2        to be filed prior to the first Wednesday after the first Monday in November of the  
3        year preceding the year in which the office will appear on the ballot. The petition  
4        shall be filed no later than 4 p.m. local time at the place of filing when filed on the  
5        last date on which the papers are permitted to be filed.

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

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

16       (4) The Secretary of State shall examine the petition of each candidate to determine  
17       whether it is regular on its face. If there is an error, the Secretary of State shall  
18       notify the candidate by certified mail within twenty-four (24) hours of filing. The  
19       order of names on the ballot for each district or circuit, and numbered division if  
20       divisions exist, shall be determined by lot at a public drawing to be held in the  
21       office of the Secretary of State at 2 p.m., standard time, on the Thursday following  
22       the filing deadline for the primary as established in this section and in KRS  
23       83A.045 and 118.165.

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

27       (a) Certify to the county clerks of the respective counties entitled to participate in

- 1 the election of the various candidates, the name and place of residence of each  
2 candidate for each office, by district or circuit, and numbered division if  
3 divisions exist, as specified in the petitions for nomination filed with him or  
4 her; and
- 5 (b) Designate for the county clerks the office of the Court of Justice with which  
6 the names of candidates shall be printed and the order in which they are to  
7 appear on the ballot.
- 8 (6) The ballot position of a candidate shall not be changed after the ballot position has  
9 been designated by the Secretary of State.
- 10 (7) The county clerks of each county shall cause to be printed on the ballots for the  
11 primary the names of the candidates for offices in the Court of Justice.
- 12 (8) The names of the candidates shall be placed on the ballots in a separate column or  
13 columns or in a separate line or lines and identified by the words "Judicial Ballot."  
14 The words "Vote for one," or "Vote for one in each division," shall be printed on  
15 the ballot in an appropriate location. The office, numbered division if divisions  
16 exist, and the candidates shall be clearly labeled. No party designation or emblem  
17 of any kind, nor any sign indicating any candidate's political belief or party  
18 affiliation, shall be used on the ballots.
- 19 (9) The two (2) candidates receiving the highest number of votes for nomination for  
20 justice or judge of a district or circuit, or numbered division if divisions exist, shall  
21 be nominated. Certificates of nomination shall be issued as provided in KRS  
22 118A.190.
- 23 (10) If it appears after expiration of the time for filing petitions for nomination that there  
24 are not more than two (2) candidates who have filed the necessary petitions for a  
25 place on the ballot in the regular election, no drawing for ballot position shall be  
26 held and the Secretary of State shall immediately issue and file in the Secretary's  
27 office certificates of nomination, and send copies to the candidates.

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

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

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

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

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

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

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

1 Secretary of State; and

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

5 (7) The ballot position of a candidate shall not be changed after the ballot position has  
6 been designated by the county clerk.

7 (8) The county clerks of each county shall cause to be printed on the ballots, including  
8 absentee ballots, for the regular election the names of the candidates for offices of  
9 the Court of Justice.

10 (9) The names of the candidates shall be placed on the ballots in a separate column or  
11 columns or in a separate line or lines and identified by the words "Judicial Ballot,"  
12 and in a manner so that the casting of a vote for all of the candidates of a political  
13 party will not operate to cast a vote for judicial candidates. The words "Vote for  
14 one" or "Vote for one in each division," shall be printed on the appropriate location.  
15 The office, numbered division if divisions exist, and the candidates therefor shall be  
16 clearly labeled. No party designation or emblem of any kind, nor any sign  
17 indicating any candidate's political belief or party affiliation, shall be used on any  
18 ballot.

19 (10) The candidate receiving the highest number of votes cast at the regular election for  
20 a district or circuit, or for a numbered division if divisions exist, shall be elected.

21 (11) A judge who elected to retire as a Senior Status Special Judge in accordance with  
22 KRS 21.580 shall not become a candidate or a nominee for any elected office  
23 during the five (5) year term prescribed in KRS 21.580(1)(a)1., regardless of the  
24 number of days served by the judge acting as a Senior Status Special Judge.

25 ➔Section 4. KRS 118.155 is amended to read as follows:

26 (1) The provisions of KRS 118.125 shall not apply to any eligible person serving in the  
27 Armed Forces of the United States while this country is at war. The name of such

1 person shall be printed on the official ballot of his or her party for an office for  
 2 which he or she is eligible in any primary election when an application has been  
 3 filed on his or her behalf by two (2) reputable electors of the party at whose hands  
 4 he or she seeks the nomination.

5 (2) ~~The~~<sup>Such</sup> application shall be accompanied by a statement signed by the proposed  
 6 candidate authorizing the action of the electors.

7 (3) The application and the candidate's statement~~[, herein mentioned,]~~ shall be filed in  
 8 good faith and with the proper officer at the proper time, as provided for other  
 9 candidates in primary elections.

10 (4) ~~[The form of such application shall be similar to that of the affidavits required of~~  
 11 ~~electors in behalf of other candidates as provided in KRS 118.125.~~

12 ~~(5)~~ Before such a successful candidate is given a certificate of nomination, he or she  
 13 shall file with the county clerk of the county in which he or she resides a statement  
 14 that during the campaign for the nomination he or she did not, and while a  
 15 candidate for the office will not, knowingly violate any election law or any law  
 16 relating to corrupt and fraudulent practice in campaigns or elections in this state,  
 17 and if elected will qualify for the office.

18 ➔Section 5. This Act shall be retroactive to November 1, 2025.