

1 AN ACT relating to the Kentucky Board of Education and declaring an emergency.

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

3 ➔Section 1. KRS 156.029 is amended to read as follows:

4 (1) There is hereby established a Kentucky Board of Education, which shall consist of:

5 (a) *Four (4)*~~Eleven (11)~~ voting members ***representing the state at large,***

6 appointed by the Governor and confirmed by the Senate of the General

7 Assembly;~~with~~

8 (b) *Seven (7) voting members elected to represent each of the Supreme Court*

9 *districts established by KRS 21A.010 in accordance with subsection (4) of*
10 *this section;*

11 (c) The president of the Council on Postsecondary Education and the secretary of
12 the Education and Labor Cabinet serving as ex officio nonvoting members;~~and~~

13 and

14 (d) An active public elementary or secondary school teacher and a public high
15 school student appointed by the board as described in subsection (7)~~(3)~~ of

16 this section serving as nonvoting members.~~Seven (7) voting members shall~~

17 ~~represent each of the Supreme Court districts as established by KRS 21A.010,~~

18 ~~and four (4) voting members shall represent the state at large.]~~

19 (2) (a) Each of the voting members shall serve for a four (4) year term.

20 (b) *The term of a voting member elected to represent a Supreme Court district*

21 *shall begin on the first Monday in January following his or her election,*

22 *except that voting members elected in November 2027 shall serve initial*

23 *terms as follows:*

24 1. *Board members elected to represent an odd-numbered Supreme Court*
25 *district shall be elected for a two (2) year term; and*

26 2. *Board members elected to represent an even-numbered Supreme*
27 *Court district shall be elected for a four (4) year term*~~, except the~~

1 initial appointments shall be as follows: the seven (7) members
2 representing Supreme Court districts shall serve a term which shall
3 expire on April 14, 1994; and the four (4) at-large members shall serve a
4 term which shall expire on April 14, 1992. Subsequent appointments
5 shall be submitted to the Senate for confirmation in accordance with
6 KRS 11.160}.

7 ~~(3)~~~~(2)~~ Appointments of the voting members under subsection (1)(a) of this section
8 shall be made without reference to occupation, except that a~~[- no]~~ voting member~~{~~
9 at the time of his or her appointment or during the term of his or her service~~}~~ shall
10 not be engaged as a professional educator for the duration of his or her term.~~{~~
11 Beginning with voting members appointed on or after June 29, 2021, appointments
12 to the group of members representing Supreme Court districts and to the group of
13 at-large members, respectively, shall reflect equal representation of the two (2)
14 sexes, inasmuch as possible; reflect no less than proportional representation of the
15 two (2) leading political parties of the Commonwealth based on the state's voter
16 registration and the political affiliation of each appointee as of December 31 of the
17 year preceding the date of his or her appointment; and reflect the minority racial
18 composition of the Commonwealth based on the total minority racial population
19 using the most recent census or estimate data from the United States Census
20 Bureau. If the determination of proportional minority representation does not result
21 in a whole number of minority members, it shall be rounded up to the next whole
22 number. A particular political affiliation shall not be a prerequisite to appointment
23 to the board generally; however, if any person is appointed to the board that does
24 not represent either of the two (2) leading political parties of the Commonwealth,
25 the proportional representation by political affiliation requirement shall be
26 determined and satisfied based on the total number of members on the board less
27 any members not affiliated with either of the two (2) leading political parties.

1 Pursuant to ~~KRS 63.080,~~ An appointed voting~~[a]~~ member shall not be removed
2 except for cause or~~[-, beginning with voting members appointed on or after June 29,~~
3 ~~2021,]~~ in accordance with KRS 63.080(3).

4 (4) (a) To effectuate subsection (1)(b) of this section one (1) voting member shall
5 be nominated and elected from each of the seven (7) Supreme Court
6 districts established in KRS 21A.010 in partisan primaries and partisan
7 regular elections governed by general election laws as provided in KRS
8 Chapters 116 to 121.
9 (b) Candidates to represent a Supreme Court district shall reside in that district
10 for at least twelve (12) consecutive months prior to the election. Upon being
11 elected, a member representing a Supreme Court district shall reside in that
12 district for the duration of his or her term.
13 (c) Members elected under this subsection shall be subject to removal from
14 office in accordance with KRS 415.050 and 415.060.

15 (5) Notwithstanding KRS 12.028, the board shall not be subject to reorganization by
16 the Governor.

17 (6)~~[(3)]~~ Ex officio and other nonvoting members shall not be represented by proxy at
18 any meeting of the board.

19 (7)~~[(4)]~~ The nonvoting teacher and student members shall be selected by the board
20 from the state's seven (7) Supreme Court~~[six (6) congressional]~~ districts on a
21 rotating basis from different districts. The public high school student shall be
22 classified as a sophomore~~[junior]~~ at the time of appointment. The teacher and
23 student members shall serve for a one (1) year term, except the initial appointments
24 shall serve a term which shall expire on April 14, 2022. The board shall promulgate
25 an administrative regulation establishing the process for selecting the nonvoting
26 teacher and student members.

27 (8) (a)~~[(5)]~~ A vacancy in the appointed voting membership of the board shall be

1 filled by the Governor for the unexpired term with the consent of the Senate.
2 In the event that the General Assembly is not in session at the time of the
3 appointment, the consent of the Senate shall be obtained during the time the
4 General Assembly next convenes.

5 **(b) A vacancy in the elected voting membership of the board shall be filled in**
6 **accordance with Section 152 of the Constitution of Kentucky.**

7 ~~(9)~~~~(6)~~ At the first regular meeting of the board in each fiscal year, a chairperson
8 shall be elected from its voting membership.

9 ~~(10)~~~~(7)~~ The members shall be reimbursed for actual and necessary expenses incurred
10 in the performance of their duties.

11 ~~(11)~~~~(8)~~ The commissioner of education shall serve as the executive secretary to the
12 board.

13 ~~(12)~~~~(9)~~ The primary function of the board shall be to develop and adopt policies and
14 administrative regulations, with the advice of the Local Superintendents Advisory
15 Council, by which the Department of Education shall be governed in planning,
16 coordinating, administering, supervising, operating, and evaluating the educational
17 programs, services, and activities within the Department of Education which are
18 within the jurisdiction of the board.

19 ➔Section 2. KRS 156.040 is amended to read as follows:

20 (1) As used in this section, "relative" means father, mother, brother, sister, husband,
21 wife, son, daughter, aunt, uncle, son-in-law, and daughter-in-law.

22 (2) A **voting** member **appointed or elected to**~~of~~ the Kentucky Board of Education
23 shall:

24 (a) Be at least thirty (30) years of age;

25 (b) Have at least an associate degree or its equivalent;

26 (c) Have been a resident of Kentucky for at least three (3) years **immediately**
27 preceding the member's **election or** appointment;

- 1 (d) Not hold a state office requiring the constitutional oath;
- 2 (e) Not be a member of the General Assembly; and
- 3 (f) Not hold or discharge the duties of any civil or political office, deputyship, or
- 4 agency under the city or county of his or her residence. ~~;~~

5 **(3) A member of the Kentucky Board of Education shall not:**

- 6 **(a)** ~~(g)~~ ~~Not~~ Be directly or indirectly interested in the sale to the Kentucky
- 7 Board of Education or the Department of Education of books, stationery, or
- 8 any other property, materials, supplies, equipment, or services for which
- 9 board or department funds are expended;
- 10 **(b)** ~~(h)~~ ~~Not~~ Have a relative as defined in subsection (1) of this section who is
- 11 employed by the Department of Education;
- 12 **(c)** ~~(i)~~ ~~Not~~ Have been removed from the board for cause; and
- 13 **(d)** ~~(j)~~ ~~Not~~ Be engaged as an elementary or secondary education professional
- 14 educator.

15 ➔Section 3. KRS 118.105 is amended to read as follows:

- 16 (1) Except as provided in subsections (3) and (4) of this section and in KRS 118.115,
- 17 every political party shall nominate all of its candidates for elective offices to be
- 18 voted for at any regular election at a primary held as provided in this chapter, and
- 19 the governing authority of any political party shall have no power to nominate any
- 20 candidate for any elective office or to provide any method of nominating candidates
- 21 for any elective office other than by a primary as provided in this chapter.
- 22 (2) Any political organization not constituting a political party as defined in KRS
- 23 118.015 may make its nominations as provided in KRS 118.325.
- 24 (3) If a vacancy occurs in the nomination of an unopposed candidate or in a nomination
- 25 made by the primary more than ten (10) days before the certification of candidates
- 26 for the regular election made under KRS 118.215, because of death or severe
- 27 disabling condition which arose after the nomination, the governing authority of the

1 party may provide for filling the vacancy, but only following certification to the
2 governing authority, by the Secretary of State, that a vacancy exists for a reason
3 specified in this subsection. When such a nomination has been made, the certificate
4 of nomination shall be signed by the chair and secretary of the governing authority
5 of the party making it, and shall be filed in the same manner as certificates of
6 nomination at a primary.

7 (4) If a vacancy occurs in the nomination of an unopposed candidate or in a nomination
8 made by the primary more than ten (10) days before the certification of candidates
9 for the regular election, and if that party's nominee was the only political party
10 candidate for the office sought, the governing authority of each party may nominate
11 a candidate for the regular election, provided that no person has sought that party's
12 nomination by filing a notification and declaration.

13 (5) If a vacancy occurs in the nomination of a candidate under the conditions of
14 subsection (3) or (4) of this section, certificates of nomination for replacement
15 candidates shall be filed in the same manner as provided in subsections (3) and (4)
16 not later than 4 p.m. on the date of certification.

17 (6) This section does not apply to candidates for members of local boards of education,
18 or presidential electors, nor to candidates participating in nonpartisan elections.
19 However, regardless of the number of days served by a judge acting as a Senior
20 Status Special Judge, a judge who elected to retire as a Senior Status Special Judge
21 in accordance with KRS 21.580 shall not become a candidate for any elected office
22 during the five (5) year term prescribed in KRS 21.580(1)(a)1.

23 ➔Section 4. KRS 118.165 is amended to read as follows:

24 (1) Except as provided in KRS Chapters 116 to 121, candidates for offices to be voted
25 for by the electors of one (1) county or of a district less than one (1) county, except
26 members of Congress and members of the General Assembly, shall file their
27 nomination papers with the county clerk of the county not earlier than the first

1 Wednesday after the first Monday in November of the year preceding the year the
2 office will appear on the ballot and not later than the first Friday following the first
3 Monday in January preceding the day fixed by law for holding the primary. All
4 nomination papers shall be filed no later than 4 p.m. local time at the place of filing
5 when filed on the last date on which the papers may be filed.

6 (2) Candidates for offices to be voted for by the electors of more than one (1) county,
7 and candidates for ~~members of~~ Congress, ~~and members of~~ the General
8 Assembly, and the Kentucky Board of Education, shall file their nomination
9 papers with the Secretary of State not earlier than the first Wednesday after the first
10 Monday in November of the year preceding the year the office will appear on the
11 ballot and not later than the first Friday following the first Monday in January
12 preceding the day fixed by law for holding the primary. Signatures for nomination
13 papers shall not be affixed on the document to be filed prior to the first Wednesday
14 after the first Monday in November of the year preceding the year in which the
15 office will appear on the ballot. All nomination papers shall be filed no later than 4
16 p.m. local time at the place of filing when filed on the last date on which the papers
17 may be filed.

18 (3) The Secretary of State or the county clerk shall examine the notification and
19 declaration form of each candidate to determine whether it is regular on its face. If
20 there is an error, the proper officer shall notify the candidate by certified mail
21 within twenty-four (24) hours of filing.

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

26 ➔Section 5. KRS 118.305 is amended to read as follows:

27 (1) Except as provided in KRS 118.345, and subject to the provisions of subsections

1 (2), (3), and (4) of this section, the county clerk of each county shall cause to be
2 printed on all ballots, including the absentee ballots, for the regular election the
3 names of the following persons:

4 (a) Candidates of a political party, as defined in KRS 118.015, who have received
5 certificates of nomination at the preceding primary, or certificates of
6 nomination under KRS 118.185, and whose certificates of nomination have
7 been filed with the Secretary of State or the appropriate county clerk;

8 (b) Candidates of a political party, as defined in KRS 118.015, who have been
9 nominated for an unexpired term in a manner determined by the governing
10 authority of the party, as provided in KRS 118.115, and whose evidences of
11 nomination have been filed with the Secretary of State or the appropriate
12 county clerk within the time prescribed in this chapter;

13 (c) Candidates of a political party, as defined in KRS 118.015, who have been
14 nominated by the governing authority of the party to fill a vacancy in the
15 candidacy of a person nominated at the preceding primary, as provided in
16 KRS 118.105, and whose certificates of nomination have been filed with the
17 Secretary of State or the appropriate county clerk, by at least the date provided
18 by the election law generally for such filing;

19 (d) Candidates who have been nominated by a political organization as provided
20 in KRS 118.325 and whose certificates or petitions of nomination have been
21 filed with the Secretary of State or the appropriate county clerk within the
22 time prescribed in this chapter;

23 (e) Independent candidates who have been nominated by petition as provided in
24 KRS 118.315, and whose petitions of nomination have been filed with the
25 Secretary of State or the appropriate county clerk within the time prescribed in
26 this chapter;

27 (f) Successful nominees of all nonpartisan primaries which shall have been

1 conducted;

2 (g) Candidates who have filed a petition of candidacy as shall be required to fill a
3 vacancy which shall appear on the ballot;

4 (h) The county clerk shall determine whether the name of any replacement
5 candidate who has been nominated as provided in KRS 118.105(5) may be
6 placed on the ballot and whether any voting equipment may be reprogrammed
7 to count the votes cast for that candidate, or whether the ballot must be
8 reprinted to accommodate votes cast for any replacement candidate, and shall
9 take the appropriate action to accommodate the replacement of any candidate.
10 If the county clerk determines that the name of any replacement candidate
11 cannot be accommodated on the existing ballot and if there is insufficient time
12 before the election to reprint the entire ballot, the county clerk shall request
13 approval to use supplemental paper ballots for voting for that office only in
14 the same manner as permitted for other situations in KRS 118.215(5), and, if
15 approved, shall have an adequate number of supplemental paper ballots
16 printed for voting for that office and only votes cast for that office by means
17 of the supplemental paper ballots shall be tabulated and recorded by the
18 precinct election officers and county board of elections. All actions by a
19 county clerk, the State Board of Elections, and the Secretary of State which
20 are necessary to provide for voting at a regular election for candidates
21 nominated pursuant to KRS 118.105(5) shall be carried out with all possible
22 speed. When a candidate has been replaced as provided in KRS 118.105(5)
23 after absentee and federal provisional absentee ballots have been printed and
24 distributed for the regular election, neither the precinct election officers nor
25 the county board of elections shall tabulate or record any absentee or federal
26 provisional absentee votes cast for the candidate who was replaced. If ballots
27 are reprinted or supplemental paper ballots are printed, or if voting equipment

- 1 must be reprogrammed to count the votes cast for a replacement candidate,
2 the costs for the printing and reprogramming shall be paid by the political
3 party who has nominated a replacement candidate, or proportionately by each
4 political party if each party nominates a replacement candidate;
- 5 (i) Candidates for President and Vice President of the United States, of those
6 political parties and organizations who have nominated presidential electors
7 as provided in KRS 118.325, if the certificate of nomination of the electors
8 has been filed with the Secretary of State within the time prescribed in this
9 chapter;
- 10 (j) Candidates for soil and water district supervisors who have been nominated
11 by petition as provided in KRS 262.210; and
- 12 (k) Candidates for city office for which no nonpartisan primary has been
13 conducted in a city which requires nonpartisan city elections.
- 14 (2) Any candidate for city office who is defeated in a partisan or nonpartisan primary
15 shall be ineligible as a candidate for the same office in the regular election.
- 16 (3) Candidates for members of local boards of education shall have their names printed
17 on ballots, including absentee ballots, for the regular election only after filing as
18 provided in KRS 160.220.
- 19 (4) Except as provided in KRS 118.105 and 118.115, no candidate's name shall be
20 printed upon any ballots, including federal provisional ballots, federal provisional
21 absentee ballots, and absentee ballots for any regular election as the nominee of any
22 political party, as defined in KRS 118.015, or under the emblem of any political
23 party, as so defined, except those candidates who have been duly and regularly
24 nominated as nominees of that party at a primary held as provided in this chapter.
- 25 (5) No county clerk shall knowingly cause to be printed, upon the ballots, federal
26 provisional ballots, federal provisional absentee ballots, or absentee ballots for any
27 regular election, the name of any candidate of a political party, as defined in KRS

1 118.015, who has not been nominated in the manner provided in the laws governing
2 primaries or the name of any candidate who is not in compliance with the
3 restrictions concerning party registration and candidacy provided in of KRS
4 118.315(1).

5 (6) The names of candidates for President and Vice President shall be certified in lieu
6 of certifying the names of the candidates for presidential electors.

7 (7) When a vacancy occurs in an elective office which is required by law to be filled
8 temporarily by appointment, the officer or body designated by law to make the
9 appointment, or in the case of an office to be filled by appointment from a list of
10 nominations, the officer or body designated by law to make the nominations, shall
11 immediately notify in writing both the county clerk and Secretary of State of the
12 vacancy.

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

17 ➔Section 6. KRS 118.315 is amended to read as follows:

18 (1) A candidate for any office to be voted for at any regular election may be nominated
19 by a petition of electors qualified to vote for him or her, complying with the
20 provisions of subsection (2) of this section. No person whose registration status is
21 as a registered member of a political party shall be eligible to election as an
22 independent, or political organization, or political group candidate, nor shall any
23 person be eligible to election as an independent, or political organization, or
24 political group candidate whose registration status was as a registered member of a
25 political party on January 1 immediately preceding the regular election for which
26 the person seeks to be a candidate. This restriction shall not apply to candidates to
27 those offices specified in KRS 118.105(6), for supervisor of a soil and water

1 conservation district, for candidates for mayor or legislative body in cities of the
2 home rule class, or to candidates participating in nonpartisan elections.

- 3 (2) The form of the petition shall be prescribed by the State Board of Elections. It shall
4 be signed by the candidate and by registered voters from the district or jurisdiction
5 from which the candidate seeks nomination. The petition shall include a
6 declaration, sworn to by the candidate, that he or she possesses all the constitutional
7 and statutory requirements of the office for which the candidate has filed.
8 Signatures for a petition of nomination for a candidate seeking any office,
9 excluding President of the United States in accordance with KRS 118.591(1), shall
10 not be affixed on the document to be filed prior to the first Wednesday after the first
11 Monday in November of the year preceding the year in which the office will appear
12 on the ballot. Signatures for nomination papers shall not be affixed on the document
13 to be filed prior to the first Wednesday after the first Monday in November of the
14 year preceding the year in which the office will appear on the ballot. A petition of
15 nomination for a state officer, or any officer for whom all the electors of the state
16 are entitled to vote, shall contain five thousand (5,000) petitioners; for a
17 representative in Congress from any congressional district, or for any officer from
18 any other district except as herein provided, four hundred (400) petitioners; for a
19 county officer, member of the General Assembly, or Commonwealth's attorney, one
20 hundred (100) petitioners; for an elected member of the Kentucky Board of
21 Education, fifty (50) petitioners; for a soil and water conservation district
22 supervisor, twenty-five (25) petitioners; for a city officer or local board of
23 education member, two (2) petitioners; and for an officer of a division less than a
24 county, except as herein provided, twenty (20) petitioners. It shall not be necessary
25 that the signatures of the petition be appended to one (1) paper. Each petitioner
26 shall include the date he or she affixes the signature, address of residence, and date
27 of birth. Failure of a voter to include the signature affixation date, date of birth, and

1 address of residence shall result in the signature not being counted. A petitioner for
2 the nomination of a candidate may be counted for every petition to which his or her
3 signature is affixed.

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

7 (4) The Secretary of State and county clerks shall examine the petitions of all
8 candidates who file with them to determine whether each petition is regular on its
9 face. If there is an error, the Secretary of State or the county clerk shall notify the
10 candidate by certified mail within twenty-four (24) hours of filing.

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

15 ➔Section 7. KRS 118.325 is amended to read as follows:

16 (1) Any political organization not constituting a political party within the meaning of
17 KRS 118.015 but whose candidate received two percent (2%) of the vote of the
18 state at the last preceding election for presidential electors may nominate, by a
19 convention or primary held by the party in accordance with its constitution and
20 bylaws, candidates for any offices to be voted for at any regular election, except the
21 office of member of a local board of education, for which nominations shall be
22 made as provided in KRS 160.220. Any political party, as defined in KRS 118.015,
23 and any political organization not constituting such a political party but whose
24 candidate received two percent (2%) of the vote of the state at the last preceding
25 election for presidential electors, may nominate, by a convention or primary held by
26 the party or organization in accordance with its constitution and bylaws, as many
27 electors of President and Vice President of the United States as this state is entitled

1 to elect.

2 (2) The certificate of nomination by such a convention or primary shall be in writing,
3 shall contain the name of each person nominated, his or her residence, and the
4 office to which he or she is nominated, and shall designate a title for the party or
5 principle that such convention or primary represents, together with any simple
6 figure or device by which its list of candidates may be designated on the ballots.
7 The certificate shall be signed by the presiding officer and secretary of the
8 convention, or by the chair and secretary of the county, city, or district committee,
9 who shall add to their signatures their respective places of residence, and
10 acknowledge the same before an officer duly authorized to administer oaths. A
11 certificate of the acknowledgment shall be appended to the certificate of
12 nomination. In the case of electors of President and Vice President of the United
13 States the certificate of nomination shall state the names of the candidates of the
14 party for President and Vice President.

15 (3) Any person desiring to become a candidate for an office, the nomination to which is
16 to be made by a convention pursuant to subsections (1) and (2) of this section,
17 except for the office of elector of President and Vice President of the United States,
18 shall file a statement with the official designated in KRS 118.165 with whom
19 notification and declaration forms are filed for the office. The form of the statement
20 shall be prescribed by the State Board of Elections. Such statement shall be filed as
21 prescribed by KRS 118.365.

22 (4) If the certificate of nomination of any state convention requests that the figure or
23 device selected by such convention be used to designate the candidates of such
24 party on the ballots for all elections throughout the state, that figure or device shall
25 be used until changed by request of a subsequent state convention of the same
26 party. The device may be any appropriate symbol other than the coat of arms or seal
27 of this state or of the United States, the national flag, or any other emblem common

1 to the people at large.

2 (5) In case of death, resignation, or removal of any such candidate subsequent to
3 nomination and before the certification of candidates for the regular election made
4 under KRS 118.215, the chair of the state, county, or city district committee shall
5 fill the vacancy, unless a supplemental certificate or petition of nomination is filed.
6 In the case of electors of President and Vice President of the United States, a
7 vacancy may be filled by the chair of the state committee at any time before the
8 meeting of the electors, whether the vacancy occurs before or after the election.

9 (6) If any political party entitled to nominate by convention fails to do so, the names of
10 all nominees by petition for any office who are designated in their petition as
11 members and candidates of that party shall be printed under the device and title on
12 the ballots as if nominated by a convention. If two (2) or more persons who have
13 filed certificates of nomination under this section claim to be the nominee of the
14 same political party, the governing authority of that party shall designate to the
15 Secretary of State and county clerk, in writing, which of the candidates is entitled to
16 the party emblem. If there are two (2) or more contending executive committees of
17 the same party in the county or district, the county or district executive committee
18 that is recognized by the state governing authority of the party, by the written
19 certificate of its chair, shall be recognized by the Secretary of State and county
20 clerk.

21 (7) 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 8. KRS 118.356 is amended to read as follows:

26 (1) Certificates and petitions of nomination shall, in the case of candidates voted for by
27 the state at large or by a district greater than one (1) county, *including candidates*

1 for elected membership for the Kentucky Board of Education, be filed with the
2 Secretary of State. In the case of candidates voted for by a county or by a district
3 less than a county, they shall be filed with the county clerk. In the case of
4 candidates voted for by a city whose boundaries extend beyond those of a single
5 county, they shall be filed with the county clerk of the county in which a candidate
6 resides. In the case of candidates for Congress and for General Assembly, they shall
7 be filed with the Secretary of State.

8 (2) Certificates of nomination at a primary election held under this chapter shall be
9 filed by the State Board of Elections or the county board of elections, depending
10 upon which one issued the certificate. Certificates and petitions of nomination shall
11 be filed by the candidate or by someone on his behalf.

12 ➔Section 9. KRS 118.365 is amended to read as follows:

13 (1) Certificates of nomination issued by the State Board of Elections shall be filed by
14 that board with the Secretary of State immediately. The certificates issued by the
15 county board of elections shall be filed by that board with the county clerk
16 immediately.

17 (2) Petitions of nomination for candidates for city offices except as provided in KRS
18 83A.047, for candidates for members of local boards of education, and for
19 candidates for supervisors of soil and water conservation districts shall be filed with
20 the county clerk 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 Tuesday after the first Monday in June preceding
23 the day fixed by law for the holding of regular elections for the offices sought.

24 (3) Candidates for an office, the nomination to which is to be made by a convention
25 pursuant to KRS 118.325(1) and (2), except for the office of electors of President
26 and Vice President of the United States, shall file the statements required by KRS
27 118.325(3), with the official designated in KRS 118.165 with whom notification

1 and declaration are filed for the office, not earlier than the first Wednesday after the
2 first Monday in November of the year preceding the year in which the office will
3 appear on the ballot and not later than the first Tuesday after the first Monday in
4 June preceding the regular election for the office sought.

5 (4) Certificates of nomination made by the governing authority of a political party
6 within the meaning of KRS 118.015 or a political organization not constituting a
7 political party within the meaning of KRS 118.015 but whose candidate received
8 two percent (2%) of the vote of the state at the last preceding election for
9 presidential electors to fill vacancies in office, as provided in KRS 118.115 and
10 118.325, shall be filed as required with the Secretary of State or county clerk.

11 (5) Except as otherwise provided in this section, petitions of nomination shall be filed
12 as required with the Secretary of State or county clerk not earlier than the first
13 Wednesday after the first Monday in November of the year preceding the year in
14 which the offices will appear on the ballot and not later than the first Tuesday after
15 the first Monday in June preceding the day fixed by law for the holding of regular
16 elections for the offices sought. The filing of petitions of nomination for
17 independent, or political organization, or political group candidates shall not be
18 accepted by the Secretary of State or the county clerk if the candidate has not filed a
19 statement-of-candidacy form as required by KRS 118.367.

20 (6) Petitions and certificates of nomination for electors of President and Vice President
21 of the United States shall be filed with the Secretary of State not earlier than the
22 first Wednesday after the first Monday in November of the year preceding the year
23 in which there is an election for President and Vice President of the United States
24 and not later than the Friday following the first Tuesday in September preceding the
25 date fixed by law for the election of the electors.

26 (7) Petitions for recall elections or elections on public questions shall be filed as
27 required with the county clerk not later than the second Tuesday in August

1 preceding the day fixed by law for holding a regular election.

2 (8) Petitions of any kind named in this section, statements, and certificates of
3 nomination shall be filed no later than 4 p.m. local time at the place of filing when
4 filed on the last date on which papers are permitted to be filed.

5 ➔Section 10. KRS 160.220 is amended to read as follows:

6 All elections for members of local boards of education shall be by secret vote. The
7 county clerk shall cause to be prepared for presentation to the voters the names of legally
8 eligible candidates who have filed a petition as provided in KRS 118.315.

9 ➔Section 11. The following KRS sections are repealed:

10 156.031 Existing State Board for Elementary and Secondary Education to remain active
11 until successor board appointed.

12 156.147 Education Management Selection Commission -- Selection of first
13 commissioner of education.

14 156.1475 Date of appointment of first commissioner of education.

15 ➔Section 12. Notwithstanding Section 1 of this Act, from the effective date of
16 this Act until January 3, 2028:

17 (1) The term of a member representing a Supreme Court district appointed after
18 the effective date of this Act shall serve a term which shall expire on the January 3, 2028.
19 Thereafter, members representing a Supreme Court district shall be those elected in
20 accordance with Section 1 of this Act.

21 (2) The term of an at-large member appointed after the effective date of this Act
22 shall expire on January 3, 2028. Thereafter, at-large members shall be appointed in
23 accordance with Section 1 of this Act.

24 ➔Section 13. Whereas school governance is a critical government function, an
25 emergency is declared to exist, and Section 12 of this Act takes effect upon its passage
26 and approval by the Governor or upon its otherwise becoming a law.