

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:

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;

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.

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

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)** **[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)** **[Not]** Have a relative as defined in subsection (1) of this section who is  
11                   employed by the Department of Education;
- 12       **(c)** **[Not]** Have been removed from the board for cause; and
- 13       **(d)** **[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

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

- (a) Candidates of a political party, as defined in KRS 118.015, who have received certificates of nomination at the preceding primary, or certificates of nomination under KRS 118.185, and whose certificates of nomination have been filed with the Secretary of State or the appropriate county clerk;
- (b) Candidates of a political party, as defined in KRS 118.015, who have been nominated for an unexpired term in a manner determined by the governing authority of the party, as provided in KRS 118.115, and whose evidences of nomination have been filed with the Secretary of State or the appropriate county clerk within the time prescribed in this chapter;
- (c) Candidates of a political party, as defined in KRS 118.015, who have been nominated by the governing authority of the party to fill a vacancy in the candidacy of a person nominated at the preceding primary, as provided in KRS 118.105, and whose certificates of nomination have been filed with the Secretary of State or the appropriate county clerk, by at least the date provided by the election law generally for such filing;
- (d) Candidates who have been nominated by a political organization as provided in KRS 118.325 and whose certificates or petitions of nomination have been filed with the Secretary of State or the appropriate county clerk within the time prescribed in this chapter;
- (e) Independent candidates who have been nominated by petition as provided in KRS 118.315, and whose petitions of nomination have been filed with the Secretary of State or the appropriate county clerk within the time prescribed in this chapter;
- (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 state at the last preceding election for presidential electors may nominate, by a  
18 convention or primary held by the party in accordance with its constitution and  
19 bylaws, candidates for any offices to be voted for at any regular election, except the  
20 office of member of a local board of education, for which nominations shall be  
21 made as provided in KRS 160.220. Any political party, as defined in KRS 118.015,  
22 and any political organization not constituting such a political party but whose  
23 candidate received two percent (2%) of the vote of the state at the last preceding  
24 election for presidential electors, may nominate, by a convention or primary held by  
25 the party or organization in accordance with its constitution and bylaws, as many  
26 electors of President and Vice President of the United States as this state is entitled  
27

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.