

CHAPTER 177

(HB 44)

AN ACT relating to elections.

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

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

- (1) Each circuit clerk shall send certified notices of incompetency to the State Board of Elections within ten (10) days after the determination has become final with regard to any person before the courts of the county.
- (2) *The Administrative Office of the Courts shall prepare, on the first Tuesday of each month, a list of all persons who were excused from jury duty for not being a citizen of the United States and provide the list to the Attorney General, the United States Attorney of the appropriate jurisdiction, and the State Board of Elections.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 116 IS CREATED TO READ AS FOLLOWS:

- (1) *The Secretary of State, in cooperation with the State Board of Elections, shall issue and present a comprehensive activity report regarding voter registration records cleanup activities on or before July 1 of each year to the Legislative Research Commission for referral to the appropriate committee. The Secretary of State and the State Board of Elections shall also make the report available to the public on their respective official websites. The activity report shall include:*
 - (a) *Any activities to resolve reported anomalies per address, such as a high number of people living at a single-family home address, voters registered at a commercial location, or voters registered at an address that is a vacant lot;*
 - (b) *Any activities to resolve incidents of multiple people registered at the same address with the same age that have minor variations in the spelling of the name and the status of the resolution of those duplicates;*
 - (c) *The number of voter eligibility changes, which shall include relocation out of state, death, incarceration, expungement, and citizenship status changes; and*
 - (d) *Any use of a national voter registration clearinghouse system or interstate agreement to remove inaccurate or fraudulent registrations and the cost of those agreements. No agreement or contract shall be entered into after April 1, 2025, that obligates the state to make any expenditures or efforts to register unregistered persons, but agreements for the sole purpose of exchanging data to remove ineligible voters are expressly permitted.*
- (2)
 - (a) *The State Board of Elections shall create a data-based report on or before July 1 of each year, containing every address in each county that lists a registered voter and the number of active and inactive voters registered at that address. Any personal identifying information shall be redacted, and any persons residing at those addresses shall not be contacted about their registration except by mail.*
 - (b) *Citizens of each county shall have in-person access to the report at the county clerk's office, as well as online access via the Secretary of State's and State Board of Elections' official websites. Any discrepancies may be reported via the publicly available link on the Secretary of State's and State Board of Elections' official websites.*
 - (c) *The Secretary of State and State Board of Elections shall provide a publicly available link on their respective official websites for citizens to report anomalies or discrepancies, and also a secure electronic form to allow a voter currently on the registered voter rolls erroneously to voluntarily cancel his or her voter registration in Kentucky.*

➔Section 3. KRS 116.0452 is amended to read as follows:

- (1) For the purpose of determining whether a voter registration application is received during the period in which registration books are open under KRS 116.045(2), an application shall be deemed timely received:
 - (a) In the case of registration with a motor vehicle driver's license application, if the valid voter registration form of the applicant is accepted by the Transportation Cabinet before the registration books are closed;

- (b) In the case of registration by mail, if the valid voter registration form of the applicant is legibly postmarked before the registration books are closed;
 - (c) In the case of registration with a voter registration agency, if the valid voter registration form of the applicant is accepted at the voter registration agency before the registration books are closed; and
 - (d) In any other case, if the valid voter registration form of the applicant is received by the appropriate county clerk, no later than 4 p.m. local time, before the registration books are closed.
- (2) The county clerk shall send notice to each applicant of the disposition of the application.
 - (3) The name of a registered voter shall not be removed from the registration books except:
 - (a) Upon request of the voter;
 - (b) As provided by KRS 116.113, upon notice of death, declaration of incompetency, ***excusal from jury duty for not being a United States citizen***, or conviction of a felony; or
 - (c) Upon failure to respond to a confirmation mailing sent pursuant to KRS 116.112(3) and failure to vote or appear to vote and, if necessary, correct the registration record of the voter's address in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.
 - (4) The identity of the voter registration agency or Transportation Cabinet office through which any particular voter is registered shall not be disclosed to the public.

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

- (1) **(a)** Upon receipt of notification from the Cabinet for Health and Family Services or other reliable sources of the death of a person, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, general, or special election.
- (b)** *To ensure that the State Board of Elections accurately removes names from the voter registration records it maintains, the Cabinet for Health and Family Services shall provide a copy of the lifetime Kentucky death records to the State Board of Elections on or before July 1 of each year.*
- (2) Upon receipt of notification from the circuit clerk that a person has been declared incompetent, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, general, or special election.
- (3) ***Upon receipt of notification from the Administrative Office of the Courts that a person has been excused from jury duty for not being a citizen of the United States, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, general, or special election.***
- ~~(4)(3)~~ Upon receipt of notification from the Administrative Office of the Courts ***or the United States Department of Justice*** that a person has been convicted of a felony offense, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, general, or special election.
- ~~(5)(4)~~ Upon receipt of notification from a local or state jurisdiction that a voter has registered to vote in the new local or state jurisdiction outside of the Commonwealth, the State Board of Elections shall within five (5) days cause the removal of the name of that person from the voter registration records that it maintains, except that no voter's name may be removed during the period of time the registration books are closed for any primary, regular election, or special election.
- ~~(6)(5)~~ Following the purge of a name from the records of the State Board of Elections, the state board shall notify the clerk of the county in which the voter lived of the action; and the county clerk shall within ten (10) days update the county voter registration files to reflect the necessary change. If a protest is filed by the voter, the county board shall hear it at its next regular monthly meeting. If the county board decides in favor of the protesting voter, the voter's registration record shall be restored, including his ***or her*** voting record. If the protest is filed while the registration books are closed and the county board decides in favor of the protesting

voter, the county board shall issue the voter an "Authorization to Vote" for the upcoming election and the voter's record shall be restored when the registration books open following the election.

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

- (1) *A ranked-choice voting method that allows electors to rank candidates for an office in order of preference and has ballots cast to be tabulated in multiple rounds following the elimination of a candidate until a single candidate attains a majority shall not be used in determining the election or nomination of any candidate to any local, state, or federal elective office in this state.*
- (2) *Any existing or future ordinance enacted or adopted by a county, municipality, or any other local governmental entity which conflicts with this section shall be void.*

Veto Overridden April 12, 2024.