

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 117.020 is amended to read as follows:

4 The State Board of Elections may declare a county to be a preclearance county for
5 election purposes when that county has a history of voter fraud, noncompliance with
6 election laws, **repeatedly administering elections in a manner that jeopardizes the free**
7 **and equal exercise of the franchise,** or voter complaints about the integrity of a
8 particular election. In a county designated as a preclearance county, all decisions of the
9 county board of elections shall be reported to the State Board of Elections for its review.
10 The failure of a county board of elections of a preclearance county to submit its decisions
11 to the State Board of Elections for its review shall constitute a prima facie case for
12 appointment of an election manager under KRS 117.022. The State Board of Elections
13 may require a preclearance county to submit evidence or justification as required by the
14 state board which is necessary to evaluate the county board's decisions. A county
15 designated as a preclearance county shall retain that designation until it is removed by the
16 State Board of Elections.

17 ➔Section 2. KRS 117.022 is amended to read as follows:

18 The Attorney General, the Secretary of State, and the State Board of Elections, by mutual
19 agreement, may petition Franklin Circuit Court to declare that an election crisis exists in
20 a county where there is evidence of sufficient malfeasance, nonfeasance, or criminal
21 activity to jeopardize a free and equal election in that county and to authorize the State
22 Board of Elections to assume responsibility for the management of the election in that
23 county. If Franklin Circuit Court makes that declaration and grant of authority, the State
24 Board of Elections shall appoint an election manager for that county to serve for the
25 duration of the election cycle and the county clerk, county board of elections, precinct
26 election officers, and any other person participating in the election process in that county
27 shall be subject to the direction of the election manager. **An election manager appointed**

1 pursuant to this section shall be paid a salary at the same rate as authorized for the
2 local county clerk as an election cost required by KRS 117.345(1). The position of
3 election manager shall not be incompatible with any other elected office or any other
4 employment within the Commonwealth.

5 ➔Section 3. KRS 117.155 is amended to read as follows:

6 (1) The county clerk shall place all ballots required to be placed upon voting equipment
7 in such a manner as will most nearly conform to the plan of arrangement prescribed
8 by the Secretary of State under KRS 118.215.

9 (2) The county clerk shall then see that the counters referred to in KRS 117.125(17)
10 and (18) are set at zero, and shall lock the operating device and mechanism and the
11 devices protecting the counters and ballots, which shall then be covered with a
12 tamper-resistant seal. The county clerk shall then enter in an appropriate book,
13 opposite the number of each precinct the distinguishing number of the voting
14 equipment or the unique designation to be used in that precinct.

15 (3) Immediately upon the conclusion of voting during each day of the in-person
16 absentee voting periods established by KRS 117.076, the county clerk shall make
17 all reasonable efforts to ensure that the e-poll books used in the county have
18 received all data reflecting the voting status of those individuals registered to vote
19 in the county where the e-poll book is in use.

20 (4) The State Board of Elections shall promulgate administrative regulations in
21 accordance with KRS Chapter 13A which shall establish the e-poll book data
22 necessary to determine voting status as required under subsection (3) of this
23 section.