AN ACT relating to elections.

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

Section 1. KRS 118.215 is amended to read as follows:

(1) After the order of the names has been determined as provided in KRS 118.225, the Secretary of State shall certify, to the county clerks of the respective counties entitled to participate in the nomination or election of the respective candidates, the name, place of residence, and party of each candidate or slate of candidates for each office, as specified in the nomination papers or certificates and petitions of nomination filed with him or her, and shall designate the device with which the candidate groups, slates of candidates, or lists of candidates of each party shall be printed, in the order in which they are to appear on the ballot, with precedence to be given to the party that polled the highest number of votes at the preceding election for presidential electors, followed by the political party which received the second highest number of votes, with the order of any other political parties and independents to be determined by lot. For the primary, candidates for county offices and local state offices shall be listed in the following order: Commonwealth's attorney, circuit clerk, property valuation administrator, county judge/executive, county attorney, county clerk, sheriff, jailer, county commissioner, coroner, justice of the peace, and constable. For the regular election, candidates for county offices and local state offices shall be listed in the following order: Commonwealth's attorney, circuit clerk, property valuation administrator, county judge/executive, county attorney, county clerk, sheriff, jailer, county commissioner, coroner, justice of the peace, and constable. The names of candidates for President and Vice President shall be certified in lieu of certifying the names of the candidates for presidential electors. The names shall be certified as follows:

(a) Not later than the second Monday after the filing deadline for the primary as
(b) Not later than the second Monday following the filing deadline for the regular election, except as provided in paragraph (c) of this subsection; and

(c) Not later than the Monday after the Friday following the first Tuesday in September preceding a regular election, for those years in which there is an election for President and Vice President of the United States.

(2) Except as otherwise provided in subsection (3) of this section, all independent candidates or slates of candidates whose nominating petitions are filed with the county clerk or the Secretary of State shall be listed under the title and device designated by them as provided in KRS 118.315, or if none is designated, under the word "independent," and shall be placed on the ballot in a separate column or columns or in a separate line or lines according to the office which they seek. The order in which independent candidates or slates of candidates shall appear on the ballot shall be determined by lot by the county clerk. If the same device is selected by two (2) groups of petitioners, it shall be given to the first selecting it and the county clerk shall permit the other group to select a suitable device. This section shall not apply to candidates for municipal offices which come under subsection (3) of this section.

(3) The ballots used at any election in which city officers are to be elected as provided in subsection (2) of this section shall contain the names of candidates for the city offices grouped according to the offices they seek, and the candidates shall be immediately arranged with and designated by the title of office they seek. The order in which the names of the candidates for each office are to be printed on the ballot shall be determined by lot. Each group of candidates for each separate office for which the candidates are to be elected shall be clearly separated from other groups on the ballot and spaced to avoid confusion on the part of the voter.

(4) The Secretary of State shall not knowingly certify to the county clerk of any county
the name of any candidate or slate of candidates who has not filed the required nomination papers, nor knowingly fail to certify the name of any candidate or slate of candidates who has filed the required nomination papers.

(5) If the county clerk determines that the number of certified candidates or slates of candidates cannot be placed on a ballot which can be accommodated by the voting equipment currently in use by the county, he or she shall so notify the State Board of Elections not later than the last Tuesday in February preceding the primary or the last Tuesday in August preceding the regular election. The State Board of Elections shall meet within five (5) days of the notice, review the ballot conditions, and determine whether supplemental paper ballots are necessary for the election. Upon approval of the State Board of Elections, supplemental paper ballots may be used for nonpartisan candidates or slates of candidates for an office or offices and public questions submitted for a yes or no vote. All candidates or slates of candidates for any particular office shall be placed either on the ballot or on the supplemental paper ballot. Supplemental paper ballots may also be used to conduct the voting, in the instance of a small precinct as provided in KRS 117.066.

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

SECTION 2. KRS CHAPTER 118C IS ESTABLISHED AND A NEW SECTION THEREOF IS CREATED TO READ AS FOLLOWS:

As used in this chapter, unless the context otherwise requires:

(1) "Ballot" or "official ballot" means the official presentation of offices and candidates to be voted for, including write-in candidates, and all public questions submitted for determination, and shall include a voting machine ballot, a paper ballot, an absentee ballot, or a supplemental paper ballot which has been authorized for the use of the voters in any primary, regular election, or special election by the Secretary of State or the county clerk:
(2) "Election" refers only to elections for nonpartisan offices;

(3) "Nonpartisan offices" means the offices of Commonwealth's attorney, circuit clerk, county attorney, county clerk, sheriff, jailer, and coroner;

(4) "Voting equipment" means any physical component of a voting system and includes voting machines where voting machines are in operation;

(5) "Voting machine" or "machine" means a part of a voting system that consists of:

(a) A direct recording electronic voting machine that:

1. Records votes by means of a ballot display provided with mechanical or electro-operated components that may be actuated by the voter;

2. Processes the data by means of a computer program;

3. Records voting data and ballot images in internal and external memory components; and

4. Produces a tabulation of the voting data stored in a removable memory component and on a printed copy; or

(b) One (1) or more electronic devices that operate independently or as a combination of a ballot marking device and an electronic or automatic vote tabulating device; and

(6) "Voting system" means:

(a) The total combination of physical, mechanical, electromechanical, or electronic equipment, including the software, hardware, firmware, and documentation required to program, control, and support that equipment, that is used to:

1. Define ballots;

2. Cast and count votes;

3. Report or display election results; and

4. Maintain and produce any audit trail information; and
(b) The practices and associated documentation used to:

1. Identify system components and versions of those components;
2. Test the system during its development and maintenance;
3. Maintain records of system errors and defects;
4. Determine specific system changes to be made to a system after the initial qualification of the system; and
5. Make available any materials to the voter, such as notices, instructions, forms, or paper ballots.

All other provisions of the election laws not inconsistent with this chapter shall be applicable thereto.

SECTION 3. A NEW SECTION OF KRS CHAPTER 118C IS CREATED TO READ AS FOLLOWS:

For the purposes of Sections 2 to 11 of this Act, candidates for the office of Commonwealth's attorney in multi-county circuits shall file a petition for nomination with the Secretary of State. Candidates for the offices of Commonwealth's attorney in single-county circuits, circuit clerk, county attorney, county clerk, sheriff, jailer, or coroner shall file a petition for nomination with the county clerk.

SECTION 4. A NEW SECTION OF KRS CHAPTER 118C IS CREATED TO READ AS FOLLOWS:

(1) Except as provided in Section 6 of this Act, no person's name shall appear on a ballot for the offices of Commonwealth's attorney, circuit clerk, county attorney, county clerk, sheriff, jailer, or coroner without first obtaining a nonpartisan nomination as provided in this section.

(2) Each candidate for nomination shall file a petition for nomination with the Secretary of State or county clerk not earlier than the first Wednesday after the first Monday in November of the year preceding the year in which the office will appear on the ballot and not later than the first Friday following the first Monday in November of the year preceding the year in which the office will appear on the ballot.
in January preceding the day fixed by law for holding a primary in accordance
with KRS Chapter 118. The petition shall be sworn to before an officer
authorized to administer an oath by the candidate and by not less than two (2)
registered voters from the county or district from which he or she seeks
nomination. Signatures for nomination papers shall not be affixed on the
document to be filed prior to the first Wednesday after the first Monday in
November of the year preceding the year in which the office will appear on the
ballot. The petition shall be filed no later than 4 p.m. local time at the place of
filing when filed on the last date on which the papers are permitted to be filed.

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

(4) (a) The Secretary of State or county clerk shall examine the petition of each
candidate to determine whether it is regular on its face. If there is an error,
the Secretary of State or county clerk shall notify the candidate by certified
mail within twenty-four (24) hours of filing. The order of names on the
ballot shall be determined by lot at a public drawing to be held in the office
of the Secretary of State or the county clerk's office at 2 p.m., standard time,
on the Thursday following the filing deadline for the primary in accordance
with KRS Chapter 118.

(b) For the office of Commonwealth's attorney in multi-county circuits, not
later than the date set forth in KRS 118.215(1)(a) preceding the primary,
and after the order of names on the ballot has been determined as required
in paragraph (a) of this subsection, the Secretary of State shall:

1. Certify to the county clerks of the respective counties entitled to participate in the election of the various candidates, the name and place of residence of each candidate for each office, by county or district, as specified in the petitions for nomination filed with him or her; and

2. Designate for the county clerks the order in which the names of candidates shall be printed and the order in which they are to appear on the ballot.

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

(6) The county clerks of each county shall cause to be printed on the ballots for the primary the names of the candidates for nonpartisan offices.

(7) The names of the candidates shall be placed on the ballots in a separate column or columns or in a separate line or lines and identified by the words "Nonpartisan Offices." The words "Vote for one" shall be printed on the ballot in an appropriate location and the offices and the candidates shall be clearly labeled. No party designation or emblem of any kind, nor any sign indicating any candidate’s political belief or party affiliation, shall be used on the ballots.

(8) The two (2) candidates receiving the highest number of votes for nomination for each of the nonpartisan offices shall be nominated. Certificates of nomination shall be issued as provided in Section 10 of this Act.

(9) If it appears after expiration of the time for filing petitions for nomination that there are not more than two (2) candidates who have filed the necessary petitions for a place on the ballot in the regular election, no drawing for ballot position shall be held and the Secretary of State or county clerk shall immediately issue and file in the Secretary's office certificates of nomination, and send copies to the
SECTION 5. A NEW SECTION OF KRS CHAPTER 118C IS CREATED TO READ AS FOLLOWS:

(1) (a) For the regular election, the order of names on the ballot for nonpartisan offices shall be determined by lot at a public drawing to be held in the office of the Secretary of State or county clerk at 2 p.m., standard time, on the Thursday following the first Tuesday after the first Monday in June preceding the regular election, except as provided in subsection (6) of Section 6 of this Act.

(b) For the office of Commonwealth's attorney in multi-county circuits, not later than the date set forth in KRS 118.215(1)(b) after the filing deadline for the regular election in a year in which there is no election for President and Vice President of the United States, or not later than the date set forth in KRS 118.215(1)(c) preceding a regular election in a year in which there is an election for President and Vice President of the United States, and after the order of names on the ballot has been determined as required in subsection (1)(a) of this section, the Secretary of State shall:

1. Certify to the county clerks of the respective counties entitled to participate in the election of the various candidates the name of each candidate for the nonpartisan offices; and

2. Designate for the county clerks the order in which the names of candidates shall be printed and the order in which they are to appear on the ballot.

(2) The ballot position of a candidate shall not be changed after the ballot position has been designated by the Secretary of State or county clerk. The county clerks of each county shall cause to be printed on the ballots for the regular elections the names of the candidates for the nonpartisan offices.
(3) The names of the candidates shall be placed on the ballots in a separate column or columns or in a separate line or lines and identified by the words "Nonpartisan Offices," and in such a manner that the casting of a vote for all of the candidates of a political party will not operate to cast a vote for nonpartisan candidates. The words "Vote for one" shall be printed on the ballot in appropriate locations. No party designation or emblem of any kind, nor any sign indicating any candidate's political belief or party affiliation, shall be used on any ballot.

(4) The candidate receiving the highest number of votes cast at the regular election for nonpartisan offices shall be elected.

⇒ SECTION 6. A NEW SECTION OF KRS CHAPTER 118C IS CREATED TO READ AS FOLLOWS:

(1) Candidates for an unexpired term of any nonpartisan offices to be filled at a regular election shall be nominated at the primary next preceding the regular election in the manner prescribed in Section 4 of this Act if the vacancy occurs not later than the second Friday in December preceding the primary. If the vacancy occurs on or after that date, the election to fill the unexpired term shall be held in accordance with the procedures described in this section and Section 152 of the Constitution of Kentucky.

(2) If in a regular election for nonpartisan offices no candidates nominated as provided in Section 4 of this Act are available due to death, incapacity, or withdrawal, the election to fill the regular term shall be conducted in the manner prescribed in subsections (3) to (10) of this section.

(3) If the vacancy occurs prior to the first Tuesday following the first Monday in June, each candidate shall file a petition for nomination with the Secretary of State or county clerk not earlier than the first Wednesday after the first Monday in November of the year preceding the year in which the election for the
unexpired term will be held and not later than the first Tuesday after the first
Monday in June preceding the day fixed by law for holding the regular election
for the unexpired term. If the vacancy occurs after the first Tuesday following the
first Monday in June, each candidate shall file a petition for nomination with the
Secretary of State or county clerk not later than the second Tuesday in August
preceding the day fixed by law for holding the regular election for the unexpired
term. The petition shall be sworn to by the candidate and by not less than two (2)
registered voters from the county or district from which he or she seeks
nomination, before an officer authorized to administer an oath. Signatures for
nomination papers shall not be affixed on the document to be filed prior to the
first Wednesday after the first Monday in November of the year preceding the
year in which the office will appear on the ballot. The petition shall be filed no
later than 4 p.m. local time at the place of filing when filed on the last date on
which the papers are permitted to be filed.

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

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

(6) (a) The order of names on the ballot for nonpartisan offices shall be
determined by lot at a public drawing to be held in the office of the
Secretary of State or county clerk at 2 p.m., standard time, on the Thursday following the first Tuesday after the first Monday in June preceding the regular election for those petitions for nomination required to be filed no later than the first Tuesday following the first Monday in June. For those petitions for nomination required to be filed no later than the second Tuesday in August, the order of names on the ballot for nonpartisan offices shall be determined by lot at a public drawing to be held in the office of the Secretary of State or county clerk at 2 p.m., standard time, on the Thursday following the second Tuesday in August preceding the regular election.

(b) For the office of Commonwealth's attorney in multi-county circuits, not later than the date set forth in KRS 118.215 and after the order of names on the ballot has been determined as required in paragraph (a) of this section, the Secretary of State shall:

1. Certify to the county clerks of the respective counties entitled to participate in the election of the various candidates, the name and place of residence of each candidate for each office, as specified in the petitions for nomination filed with the Secretary of State; and

2. Designate for the county clerks the names of the candidates that shall be printed and the order in which they are to appear on the ballot.

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

(8) The county clerks of each county shall cause to be printed on the ballots for the regular election the names of the candidates for nonpartisan offices.

(9) The names of the candidates shall be placed on the ballots in a separate column or columns or in a separate line or lines and identified by the words "Nonpartisan Offices," and in a manner so that the casting of a vote for all of the candidates of a political party will not operate to cast a vote for nonpartisan
offices. The words "Vote for one" shall be printed on the ballot in an appropriate location. The office and the candidates therefor shall be clearly labeled. No party designation or emblem of any kind, nor any sign indicating any candidate's political belief or party affiliation, shall be used on any ballot.

(10) The candidate receiving the highest number of votes cast at the regular election for the nonpartisan offices shall be elected.

SECTION 7. A NEW SECTION OF KRS CHAPTER 118C IS CREATED TO READ AS FOLLOWS:

(1) The Secretary of State, for the office of Commonwealth's attorney in multi-county circuits, or the county clerk for the offices of Commonwealth's attorney in single-county circuits, circuit clerk, county attorney, county clerk, sheriff, jailer, or coroner, shall keep a book entitled "Register of Candidates for Nomination to Nonpartisan Offices," and shall enter in that book the name and place of residence of each candidate for nomination to nonpartisan offices in the primary and the date of receipt of his or her nomination papers. The book shall be a public record.

(2) Petitions for candidacy for an unexpired term of nonpartisan offices shall also be entered in this book.

SECTION 8. A NEW SECTION OF KRS CHAPTER 118C IS CREATED TO READ AS FOLLOWS:

(1) In certification of candidates for nonpartisan offices, no reference shall be made to political affiliation.

(2) The Secretary of State shall not knowingly certify to the county clerk of any county the name of any candidate who has not filed the required nomination or candidacy papers, nor knowingly fail to certify the name of any candidate who has filed the required nomination or candidacy papers.

(3) No county clerk shall knowingly cause to be printed on any ballots or absentee
ballots for any election the name of a candidate for nonpartisan offices who has not been certified in the manner specified in this chapter.

(4) If, before the time of certification of candidates who will appear on the ballot provided for in this chapter, any candidate whose petition or certificate of nomination or petition for candidacy has been filed, dies or notifies the Secretary of State or county clerk in writing, signed and properly notarized, that he or she will not accept the nomination or election, the Secretary of State or county clerk shall not certify his or her name.

(5) (a) If, after the certification of candidates who will appear on the ballot, any candidate for the office of Commonwealth's attorney in a multi-county circuit whose petition or certificate of nomination or petition for candidacy has been filed, dies or notifies the Secretary of State in the manner described in subsection (4) of this section, that he or she will not accept the nomination or election, the Secretary of State shall immediately notify the appropriate county clerk, and the clerk shall ensure that notice is provided to the appropriate precincts as provided in subsection (7) of this section.

(b) If, after the certification of candidates who will appear on the ballot, any candidate for the office of Commonwealth's attorney in a single county circuit, circuit clerk, county attorney, county clerk, sheriff, jailer, or coroner whose petition or certificate of nomination or petition for candidacy has been filed, dies or notifies the county clerk in the manner described in subsection (4) of this section, that he or she will not accept the nomination or election, the clerk shall ensure that notice is provided to the appropriate precincts as provided in subsection (7) of this section.

(6) If, after the certification of candidates who will appear on the ballot, any candidate whose name appears on the ballot shall withdraw or die, neither the precinct election officers nor the county board of elections shall tabulate or
record the votes cast for the candidate. In a primary, if there are only one (1) or
two (2) remaining candidates on the ballot for that office, following the
withdrawal or death of the other candidate or candidates, neither the precinct
election officers nor the county board of elections shall tabulate or record the
votes for the remaining candidate or candidates, and the officer with whom the
remaining candidate or candidates has filed his or her nomination papers shall
immediately issue and file in his or her office a certificate of nomination for that
remaining candidate or candidates and send a copy to the remaining candidate or
candidates.

(7) If, after the certification of candidates who will appear on the ballot, any
candidate whose name appears on the ballot shall withdraw pursuant to KRS
118.212 or die, the county clerk shall provide notices to the precinct election
officers who shall see that a notice is conspicuously displayed at the polling place
advising voters of the change, and that votes for the candidate shall not be
tabulated or recorded. If the county clerk learns of the death or withdrawal at
least five (5) days prior to the election and provides the notices required by this
subsection and the precinct officers fail to post the notices at the polling place,
the officers shall be guilty of a violation, subject to a fine of not less than ten
dollars ($10) nor more than two hundred fifty dollars ($250).

⇒ SECTION 9. A NEW SECTION OF KRS CHAPTER 118C IS CREATED TO
READ AS FOLLOWS:
All nomination or candidacy papers filed under this chapter shall during normal
business hours be subject to inspection by any person.

⇒ SECTION 10. A NEW SECTION OF KRS CHAPTER 118C IS CREATED
TO READ AS FOLLOWS:
(1) The State Board of Elections shall issue certificates of nomination or election for
all primary and regular elections as provided in this section.
(2) Following a primary or regular election, the county board of elections of each county shall make out duplicate certificates of the total number of votes received by each candidate for nonpartisan offices. The certificate of the total number of votes shall be certified to the Secretary of State's Office not later than 12 noon, prevailing time, on the Friday following the primary or regular election. The county clerk shall keep one (1) of the certificates in his or her office and, within three (3) days of their receipt from the board, shall forward the other certificate by mail to the Secretary of State who shall deliver it to the State Board of Elections.

(3) The State Board of Elections shall meet to count and tabulate the votes received by the different candidates as certified to the Secretary of State no later than the third Monday after the primary or regular election. When the board certifies the results of a primary or regular election, the right to contest the election or primary shall not be impaired. A majority of the members of the board shall constitute a quorum and may act. The board shall prepare the certificates of nomination or election in the office of the board, from the returns made. The certificates shall be in writing and in duplicate, and shall be signed by the board members. The board shall forward the original certificate, by mail, to the nominated or elected candidate, unless he or she has failed to comply with KRS Chapter 121. The duplicate shall be retained in the office of the board.

(4) Certificates of nomination for a candidate for nonpartisan offices shall be issued to the two (2) candidates receiving the highest number of votes, except that if more than two (2) candidates are found to have received the highest and an equal number of votes for the same office or if two (2) or more candidates are found to have received the second highest and an equal number of votes for the same office, the election shall be determined by lot in the manner the board directs, in the presence of not less than three (3) other persons.
The certificate of election for nonpartisan offices shall be issued to the candidate receiving the highest number of votes, except that if two (2) or more candidates are found to have received the highest and an equal number of votes for the same office, the election shall be determined by lot in the manner the board directs, in the presence of not less than three (3) other persons.

SECTION 11. A NEW SECTION OF KRS CHAPTER 118C IS CREATED TO READ AS FOLLOWS:

Any person who violates any of the provisions of this chapter or who fails to perform his or her duties in the manner specified in this chapter shall be guilty of a Class A misdemeanor.

Section 12. KRS 118.315 is amended to read as follows:

(1) A candidate for any office, except for nonpartisan offices as defined in Section 2 of this Act, to be voted for at any regular election may be nominated by a petition of electors qualified to vote for him or her, complying with the provisions of subsection (2) of this section. No person whose registration status is as a registered member of a political party shall be eligible to election as an independent, or political organization, or political group candidate, nor shall any person be eligible to election as an independent, or political organization, or political group candidate whose registration status was as a registered member of a political party on January 1 immediately preceding the regular election for which the person seeks to be a candidate. This restriction shall not apply to candidates to those offices specified in KRS 118.105(7), for supervisor of a soil and water conservation district, for candidates for mayor or legislative body in cities of the home rule class, or to candidates participating in nonpartisan elections.

(2) The form of the petition shall be prescribed by the State Board of Elections. It shall be signed by the candidate and by registered voters from the district or jurisdiction from which the candidate seeks nomination. The petition shall include a declaration,
sworn to by the candidate, that he or she possesses all the constitutional and statutory requirements of the office for which the candidate has filed. Signatures for a petition of nomination for a candidate seeking any office, excluding President of the United States in accordance with KRS 118.591(1), shall not be affixed on the document to be filed prior to the first Wednesday after the first Monday in November of the year preceding the year in which the office will appear on the ballot. Signatures for nomination papers shall not be affixed on the document to be filed prior to the first Wednesday after the first Monday in November of the year preceding the year in which the office will appear on the ballot. A petition of nomination for a state officer, or any officer for whom all the electors of the state are entitled to vote, shall contain five thousand (5,000) petitioners; for a representative in Congress from any congressional district, or for any officer from any other district except as herein provided, four hundred (400) petitioners; for a county office, except for nonpartisan offices as defined in Section 2 of this Act or any officer or member of the General Assembly, or Commonwealth’s attorney, one hundred (100) petitioners; for a soil and water conservation district supervisor, twenty-five (25) petitioners; for a city officer or board of education member, two (2) petitioners; and for an officer of a division less than a county, except as herein provided, twenty (20) petitioners. It shall not be necessary that the signatures of the petition be appended to one (1) paper. Each petitioner shall include the date he or she affixes the signature, address of residence, and date of birth. Failure of a voter to include the signature affixation date, date of birth, and address of residence shall result in the signature not being counted. If any person joins in nominating, by petition, more than one (1) nominee for any office to be filled, he or she shall be counted as a petitioner for the candidate whose petition is filed first, except a petitioner for the nomination of candidates for soil and water conservation district supervisors may be counted for every petition to which his or her signature is
affixed.

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

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

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

Section 13. KRS 118.225 is amended to read as follows:

(1) For the purpose of determining the order in which the names of candidates or slates of candidates to be voted for by the electors of the entire state shall be certified and printed on the ballots with the designation of the respective offices, the Secretary of State shall prepare lists of the counties of each congressional district of the state. The Secretary of State shall arrange the surnames of all candidates or slates of candidates for each office in alphabetical order for the First Congressional District, and the names shall be certified in this order to the county clerks of all the counties comprising that district. For each succeeding congressional district, taken in numerical order, the name appearing first for each office in the last preceding district shall be placed last, and the name appearing second in the last preceding district shall be placed first, and each other name shall be moved up one (1) place. The lists shall be certified accordingly.

(2) For all other offices for which nomination papers and petitions are filed with the Secretary of State, the order of names of candidates for each office shall be
determined by lot at a public drawing to be held in the office of the Secretary of
State at 2 p.m., standard time, on the Thursday following the filing deadline for the
primary as established in KRS 83A.045, 118.165, [and] 118A.060, and Section 4 of
this Act or the Thursday following the first Tuesday after the first Monday in June
preceding the regular election.

(3) For all offices for which nomination papers and petitions are filed in the office of
the county clerk, the order in which the names of candidates for each office are to
be printed on the ballot shall be determined by lot at a public drawing in the office
of the county clerk at 2 p.m., standard time, on the Thursday following the filing
deadline for the primary as established in KRS 83A.045, 118.165, [and] 118A.060,
and Section 4 of this Act or the Thursday following the first Tuesday after the first
Monday in June preceding the regular election.

(4) For all offices for which the deadline for filing nomination papers and petitions is
governed by KRS 83A.165(4)(c) or 118.375(2), the order in which the names of
candidates for each office are to be printed shall be determined by lot at a public
drawing in the office at the place of filing at 2 p.m., standard time, on the Thursday
following the second Tuesday in August preceding the regular election.

(5) If the number of certified candidates or slates of candidates cannot be placed on a
ballot which can be accommodated on voting equipment currently in use in the
county, the county clerk shall notify the State Board of Elections, as provided in
KRS 118.215.

Section 14. KRS 118.325 is amended to read as follows:

(1) Any political organization not constituting a political party within the meaning of
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
convention or primary held by the party in accordance with its constitution and
bylaws, candidates for any offices to be voted for at any regular election, except the
office of member of a board of education, for which nominations shall be made as provided in KRS 160.220, and nonpartisan offices as defined by Section 2 of this Act, for which the nominations shall only be made as provided by Sections 2 to 11 of this Act. Any political party, as defined in KRS 118.015, and any political organization not constituting such a political party 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 convention or primary held by the party or organization in accordance with its constitution and bylaws, as many electors of President and Vice President of the United States as this state is entitled to elect.

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

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

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

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

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

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

Section 15. KRS 118.115 is amended to read as follows:

(1) Except as provided in subsection (2)(b) of KRS 83A.045 and Section 6 of this Act governing vacancies in candidacy, candidates for unexpired terms to be filled at a regular election shall be nominated at the primary next preceding the regular election, if the vacancy occurred not less than one hundred sixty (160) days before the primary. If the vacancy occurred less than one hundred sixty (160) days before the primary, the nomination shall be made in a manner determined by the governing authority of the political party concerned. In the preparation of ballots, candidates for full terms shall be grouped together, and candidates for unexpired terms shall be grouped together, under appropriate headings, so that the voter may easily distinguish the candidates for full terms from the candidates for unexpired terms.

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

Section 16. This Act takes effect January 1, 2023.