GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2015 REGULAR SESSION

HOUSE BILL NO. 150

THURSDAY, FEBRUARY 12, 2015

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE March 30, 2015
3:30pm

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
K. Adler

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 117.265 is amended to read as follows:

4 (1) A voter may, at any regular or special election, cast a write-in vote for any person
5 qualified as provided in subsection (2) or (3) of this section, whose name does not
6 appear upon the ballot label for any office, by writing the name of his or her choice
7 upon the appropriate device for the office being voted on provided on the voting
8 machine as required by KRS 117.125. Any candidate for city***, county, urban-***
9 ***county, consolidated local government, charter county government, or unified***
10 ***local government*** office who is defeated in a partisan or nonpartisan primary shall
11 be ineligible as a candidate for the same office in the regular election. Any voter
12 utilizing an absentee ballot for a regular or special election may write in a vote for
13 any eligible person whose name does not appear upon the ballot, by writing the
14 name of his or her choice under the office.

15 (2) Write-in votes shall be counted only for candidates for election to office who have
16 filed a declaration of intent to be a write-in candidate with the Secretary of State or
17 county clerk, depending on the office being sought, on or before the fourth Friday in
18 October preceding the date of the regular election and not later than the second
19 Friday before the date of a special election. In the case of a special election
20 administered under KRS 118.730, a declaration of intent to be a write-in candidate
21 shall be filed at least twenty-eight (28) days before the day of the election. The
22 declaration of intent shall be filed no earlier than the first Wednesday after the first
23 Monday in November of the year preceding the year the office will appear on the
24 ballot, and no later than 4 p.m. local time at the place of filing when filed on the last
25 date on which papers may be filed. The declaration of intent shall be on a form
26 prescribed by the Secretary of State.

27 (3) A person shall not be eligible as a write-in candidate:

1 (a) For more than one (1) office in a regular or special election; or
2 (b) If his or her name appears upon the ballot label for any office, except that the
3 candidate may file a notice of withdrawal prior to filing an intent to be a write-
4 in candidate for office when a vacancy in a different office occurs because of:
5 1. Death;
6 2. Disqualification to hold the office sought;
7 3. Severe disabling condition which arose after the nomination; or
8 4. The nomination of an unopposed candidate.
9 (4) Persons who wish to run for President and Vice-President shall file a declaration of
10 intent to be a write-in candidate, along with a list of presidential electors pledged to
11 those candidates, with the Secretary of State on or before the fourth Friday in
12 October preceding the date of the regular election for those offices. The declaration
13 of intent shall be filed no earlier than the first Wednesday after the first Monday in
14 November of the year preceding the year the office will appear on the ballot, and no
15 later than 4 p.m. local time at the place of filing when filed on the last date on which
16 papers may be filed. Write-in votes cast for the candidates whose names appear on
17 the ballot shall apply to the slate of pledged presidential electors, whose names shall
18 not appear on the ballot.
19 (5) The county clerk shall provide to the precinct election officers certified lists of those
20 persons who have filed declarations of intent as provided in subsections (2) and (3)
21 of this section. Only write-in votes cast for qualified candidates shall be counted.
22 (6) Two (2) election officers of opposing parties shall upon the request of any voter
23 instruct the voter on how to cast a write-in vote.

Speaker-House of Representatives

President of Senate

Attest: Chief Clerk of House of Representatives

Approved Governor

Date 3/30/15