



COMMONWEALTH OF KENTUCKY
OFFICE OF THE SECRETARY OF STATE
ALISON LUNDERGAN GRIMES

TO: All County Clerks

FROM: Alison Lundergan Grimes
Secretary of State

A handwritten signature in cursive script that reads "Alison Lundergan Grimes".

DATE: May 11, 2015

SUBJECT: SBE 49 and SBE 49A Instructions

DEADLINE DATE: FRIDAY, MAY 22, 2015 – 12:00 Noon

FAX NUMBER: 502-564-5687

INSTRUCTIONS FOR FORM SBE 49

Form SBE 49 is enclosed for the reporting of certified election results by the county board of elections. **Record the votes and obtain the signatures of your county board of election members** on the enclosed SBE 49 form. The vote totals must be certified to the Secretary of State's office no later than **12:00 noon on Friday, May 22, 2015**. Please fax the certified vote totals contained on the SBE 49 to the following number: 502-564-5687.

After making a copy of form SBE 49 for your files, mail the original SBE 49 form in the enclosed envelope to the Secretary of State at State Capitol Bldg., 700 Capital Ave., Suite 148, Frankfort, KY 40601-3493.

Should a candidate receive "zero" votes, please record "0" in the proper column. **Please check the balance of all your columns before mailing.**

INSTRUCTIONS FOR FORM SBE 49A
PURSUANT TO 31 KAR 4:070

Form SBE 49A is enclosed for the reporting of recanvassed vote totals for candidates who file with the Secretary of State and for candidates who file with the County Clerk if a recanvass is requested. **You will be immediately notified of any recanvass request filed with the Secretary of State and request that you notify the Secretary of State of any recanvass request filed with your office for the recanvassing of votes in local races.** Record the recanvassed vote totals, obtain signatures of county board members and **immediately** fax to the Secretary of State at 502-564-5687. After making a copy for your files, mail the original to the address provided above.

Thank you for your assistance and if you have questions regarding these procedures, please contact Mary Sue Helm (502) 782-7416 or Jeremy Foster (502) 782-7441.

Enclosures: KRS 117.305; 31 KAR 4:070;
SBE 49; SBE 49A; Self Addressed Envelope

**CERTIFICATION
OFFICIAL COUNT AND RECORD
OF ELECTION TOTALS**

STATE OF KENTUCKY
County of Adair

May 19, 2015 Primary Election

We, the County Board of Elections, duly authorized to canvass the returns of the County of Adair, do certify that, in an election held in said county, on the 19th day of May, 2015, the following votes were cast for the Office or on the Question indicated:

Office	Name	Machine Votes	Absentee Machine Votes	Paper Absentee Ballot Votes	Provisional Ballot Votes	Total Votes
Governor / Lt. Governor						
Republican	Bevin, Matt / Hampton, Jenean				0	
	Comer, James R. / McDaniel, Chris				0	
	Heiner, Hal / Crosbie, K.C.				0	
	Scott, Will T. / Coffey, Rodney				0	
Democratic	Conway, Jack / Overly, Sannie				0	
	Young, Geoffrey M. "Geoff" / Masters, Johnathan D.				0	
Secretary of State						
Democratic	Grimes, Alison Lundergan				0	
	Lovett, Charles				0	
Attorney General						
Republican	Hogan, Michael T.				0	
	Westerfield, Whitney H.				0	
State Treasurer						
Republican	Ball, Allison				0	
	Imes, Kenneth Churchill				0	
	Larson, Jon				0	
Democratic	Blakemore, Neville				0	
	Glenn, Jim				0	
	Grossberg, Daniel B.				0	
	Henderson, Richard				0	
	Nelson, Rick				0	
Commissioner of Agriculture						
Republican	Heath, Richard				0	
	Quarles, Ryan F.				0	

County Board of Elections (Democrat) _____

County Board of Elections (Republican) _____

County Board of Elections (Sheriff) _____

County Board of Elections (County Clerk) _____

Chairman

117.305 Recanvass of votes -- Test of machines -- Candidates and representatives of political parties and news media to observe recanvass -- Forms for reporting recanvassed vote -- Administrative regulations for recanvass procedures.

- (1) The canvass and returns provided for in KRS 117.275 shall constitute the official returns of the precinct, unless before 4 p.m. on the Tuesday following a primary or regular election, or before 4 p.m. on the day following a special election held for the purpose of filling a vacancy, the county clerk or county board of elections takes notice of a discrepancy in the tally of votes cast in any precinct or number of precincts, or a candidate makes a written request to the county board of elections in the case of a candidate who has filed with the county clerk, or the Secretary of State in the case of a candidate who has filed with the Secretary of State, to check and recanvass the voting machines and absentee ballots of any precinct or any number of precincts involving his race. After this time period has elapsed and notice is taken, the county election board shall assemble at 9 a.m. on the Thursday following the filing deadline to request a recanvass, and not sooner, and recheck and recanvass each machine and make a proper return thereof to the county clerk, and the canvass and return shall become the official returns for the election. In making the recanvass, the board shall make a record of the number of the seal upon the voting machine and, without unlocking the machine against voting, recanvass the vote cast thereon. If, after a recanvass, it is found that the original canvass of the returns has been correctly made from the machine, and that there still remains a discrepancy unaccounted for, this discrepancy shall be noted. If, upon recanvass, it appears that the original canvass of the returns by the election officers was incorrect, the returns and all papers being prepared by the board shall be corrected accordingly. The county board of elections shall, immediately upon receipt of a request for a recanvass, notify each candidate for the office of the time and place of the recanvass. At the recanvass, each political party represented on the board may appoint a representative there to be its governing body, and also each candidate to be voted for may be present, either in person or by a representative or both. The county board of elections shall authorize representatives of the news media to observe the recanvass of the votes cast on the voting machine in each precinct. Nothing in this section shall prohibit an individual from requesting, in addition to a recanvass, a recount as authorized by KRS Chapter 120.
- (2) The State Board of Elections shall prescribe forms to be used by county boards of election to report all recanvassed votes. The form shall include the following information:
 - (a) The name of the county in which the recanvass was conducted;
 - (b) The date of the report;
 - (c) The date of the election;
 - (d) The office for which the recanvass was conducted;
 - (e) The names of each candidate for the office being recanvassed; and
 - (f) The machine votes, absentee votes, and vote totals for each candidate, as well as write-in votes cast in a regular or special election for candidates whose names did not appear on the ballot.The report shall be signed by each member of the county board of elections.
- (3) The county board of elections shall file its recanvass report as prescribed in administrative regulations promulgated by the State Board of Elections in conformity with KRS Chapter 13A.
- (4) The State Board of Elections shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish the proper procedures for conducting a recanvass for each type of voting system approved by the State Board of Elections and in use in Kentucky.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 494, sec. 1, effective July 14, 2000. -- Amended 1992 Ky. Acts ch. 296, sec. 5, effective July 14, 1992; and ch. 421, sec. 1, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 48, sec. 51, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 470, sec. 16, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 268, sec. 1, effective July 15, 1982; and ch. 394, sec. 17, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 384, sec. 250, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 130, sec. 2, effective June 19, 1976. -- Created 1974 Ky. Acts ch. 130, sec. 44, effective June 21, 1974.

RELATES TO: KRS 117.305, 118.425

STATUTORY AUTHORITY: KRS 117.015(1)(a), 117.305(2), (3), (4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 117.015(1)(a) authorizes the State Board of Elections to promulgate administrative regulations necessary to properly carry out its duties. KRS 117.305(2) requires the State Board of Elections to prescribe forms to be used by county boards of elections to report all recanvassed votes, KRS 117.305(3) requires that the board promulgate administrative regulations to set reporting standards for recanvass reports, and KRS 117.305(4) requires that the board promulgate administrative regulations to establish the proper procedures for conducting a recanvass for each type of voting system approved by the board and in use in Kentucky. This administrative regulation establishes the reporting form to be used in the event of a recanvass, reporting standards for an election if a recanvass is requested and received in a timely manner, and establishes the proper procedures for conducting a recanvass on the approved voting systems in use in Kentucky.

Section 1. (1) The Recanvass of Official Count and Record of Election Totals form, SBE 49A, shall be used by the county board of elections to report all recanvassed votes.

(2) The county board of elections shall state the name of the county in which the recanvass is being conducted, the date of the report, the date of the election, the office for which the recanvass is being made, the name of each candidate for the office being recanvassed, and the machine votes, absentee votes, provisional votes and total votes for each candidate. The report shall be signed by each member of the county board of elections.

Section 2. (1) The county board of elections shall file its recanvass report, SBE 49A, immediately upon completion of the recanvass for those vote totals reported to the Secretary of State, pursuant to KRS 118.425(3).

(2) The county board of elections shall file its recanvass report, SBE 49A, immediately upon completion of the recanvass for the vote totals reported to the county clerk, pursuant to 118.425(2).

Section 3. If KRS 117.305(1) requires a recanvass, the provisions established in this section shall apply.

(1) In a general election, the county board of elections shall only check and tabulate the votes of the candidate requesting a recanvass and each opposing candidate seeking the same office.

(2) In a partisan primary election, the county board of elections shall only check and tabulate the votes of the candidate requesting a recanvass and each opposing candidate of the same political party seeking the same office.

(3) In a nonpartisan election, the county board of elections shall only check and tabulate the votes of the candidate requesting a recanvass and each opposing candidate seeking the same office.

Section 4. A county board of elections shall recanvass the votes recorded depending on the machine and voting method utilized, as follows:

(1) If an electronic voting system with a central tabulation system is used, the recanvass shall be taken:

(a) By clearing the system, such as by setting the tabulation system to zero and retabulating the votes recorded on the memory cartridges on election day by using the central tabulation system; or

(b) By comparing the results printout printed from each voting machine on election day with the county-wide recapitulation sheet.

(2) If an electronic voting system without a central tabulation system is used, the recanvass shall be taken by comparing the results printout printed from each voting machine on election day with the county-wide recapitulation sheet.

(3) Paper ballots, which were judged to be valid by the county board of elections on election day and which were not counted using a central tabulation system but were hand-counted on election day, shall be recanvassed by utilizing the same procedure actually used to count those paper ballots on election day following the procedures for the uniform definition of a vote established by 31 KAR 6:030.

Section 5. Incorporation by Reference. (1) "Recanvass of Official Count and Record of Elections Totals", SBE 49A, (November 2003 edition), is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the State Board of Elections, 140 Walnut Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (18 Ky.R. 555; Am. 1320; eff. 11-1-91; 22 Ky.R. 1662; eff. 5-16-96; 27 Ky.R. 3129; 28 Ky.R. 66; eff. 7-16-2001; 32 Ky.R. 1315; 1608; eff. 3-31-06.)