

# Kentucky State Board of Elections Election Officers Training Guide



**Presidential Primary Election**

**May 21, 2024**

Revised March 28, 2024

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## **KRS 117.187(2): Training by County Board of Elections**

Training provided by the County Board of Elections shall include but not limited to the following:

- Operations of the voting equipment, and voting system as applicable (ADA Accessible Machines, Print on Demand Ballot Printers, Scanners, and E-poll Books);
- Posting of necessary signs and notices at the polling place;
- Voter assistance;
- Maintaining precinct rosters (E-poll Books, Supplemental, and Emergency Paper Backup (optional))
- Confirmation of voter's identity;
- Challenge of a voter;
- Completing changes of address or name at the polling place;
- Qualifications for voting in a Primary (Election Specific);
- Electioneering and exit polling;
- Write-in voting procedures;
- Persons who may be in the voting room;
- Election violations and penalties;
- Assistance which may be provided by law enforcement officers;
- Election reports;
- Disability awareness;
- Provisional voting and provisional absentee voting;
- Election emergency contingency plan;
- Elections, voting equipment, and voting systems security plan;
- Proof of Identification; and
- Information concerning the secure online portal to request a mail-in absentee ballot.

**Election Officers, including alternates, and certified challengers MUST attend a training session.**

The County Attorney or their designee may attend a training session for Election Officers to assist in explaining the duties and penalties for any failure to perform them.

## Introduction

**Regardless of how your County Board of Elections has set up your county's Election Plan, all election laws remain in force.**

**This guide is designed to accommodate Election Plans for all counties.**

### **Terminology:**

- **Precinct:** a single area within a county that will cast ballots at one location on Election Day. **(Example: A101---Smithville Precinct---Located at Smithville Elementary School; ONLY Voters who live in the Smithville Precinct can vote here)**
  - There can be more than one precinct operating at a location; however, each precinct must have its own set of workers and separate set of voting machines
- **Consolidated Location:** a combination of two (2) or more precincts put together with the intent of sharing election equipment and Election Officers on Election Day. **ONLY voters who reside in the combination of these specific precincts will cast a ballot in this polling location.**
- **Vote Center:** a location where any voter in the entire county can vote on Election Day. *Machines are set to handle ballots for all possible voters.*
- **Polling location:** the place in your county where people vote. This can be a Precinct, Consolidated Location, or Vote Center. For Vote Centers, this would be the identifying name for purposes of records.

For the public, the *precinct* level will still exist in every county, no matter the plan. It is the basic building block of how a voter is assigned to a specific ballot-style (who they vote for). A *Vote Center* is set to allow for a combination of every precinct within a county and will be broken down to the precinct level in the end.

**Thank you for serving your community, as well as, Democracy!**

# Kentucky Election Organizational Structure

## State Board of Elections: (KRS 117.015)

- An independent agency of the state government, which shall administer the election laws of the state and supervise registration and purgation of voters within the state.
- Board consists of:
  - The Secretary of State is the Chief Election Officer for the Commonwealth and Chair of the Board of Elections who presides over meetings as a non-voting member, except in matters where a Board vote ends in a tie.
  - Three (3) Democratic and three (3) Republican members appointed by the Governor from a list provided by the state central executive committees of the two (2) parties that received the largest number of votes in the last election for state officials.
  - One (1) Democratic and one (1) Republican former County Clerk appointed by the Governor from a list provided by the Kentucky County Clerk's Association.
- The State Board:
  - May promulgate administrative regulations necessary to properly carry out its duties.
  - Shall promulgate administrative regulations establishing a procedure for elections officials to follow when an election has been suspended or delayed as described in KRS 39A.100.
  - Is prohibited from accepting any private monetary funds for election administration, unless accepted as a part of a valid contract for goods and services.

**Kentucky State Board of Elections**  
**140 Walnut Street, Frankfort, KY 40601**  
**502-573-7100**

## County Board of Elections (KRS 117.035):

- The County Board, at the direction of and under the supervision of the State Board of Elections, shall administer the election laws and the registration and purgation of voters within the county.
- County Board consists of:
  - The County Clerk who shall be the Chair of the Board and shall have an extra vote to break a tie in matters that come before the local Board of Elections. The County Clerk may name a replacement in a year they are on the ballot (though not required).

- The County Sheriff who serves unless they are on the ballot in an election year, in which case, they MUST designate a temporary replacement.
- One (1) Democrat and One (1) Republican appointed by the State Board of Elections based on the submission of a list of candidates from each of the local Democratic and Republican parties.
- The County Board shall meet:
  - At least once every other month during years in which a primary or regular election is scheduled ,or upon written agreement of two (2) or more members of the board;
  - During years in which no primary or regular election is scheduled, at any time by call of the chair, or upon written agreement of two (2) or more members of the board;
  - And stay in session on primary, regular elections, and special election days to correct clerical errors, to rule on questions regarding voter registration, proof of identification, and the curing of signatures relative to mail-in absentee ballots and may make to the Election Officers such certifications as may be necessary.
- The County Board of Elections must by March 20<sup>th</sup> of the year in which an election takes place appoint Election Officers to work the polls for the County (KRS 117.045(1)(a)). The board and its members are responsible for appointing, training, assigning, and overseeing election workers.
- The County Board shall, not less than ten (10) days before the next ensuing election, send to each election officer written notice of his or her appointment. KRS 117.045(7).

### **Facts You Should Know about Elections in Kentucky**

1. County Fiscal Courts pays for all election expenses in their counties. KRS 117.345.
2. Election Plans (petitions) regarding the locations of consolidated precincts and vote centers are developed and approved by local County Boards of Election and sent to the State Board of Elections for review and approval. After the State Board votes to approve a petition, the Secretary of State may veto any plan, at which point it takes a ¾-majority vote of the Board to override the veto. If this does not occur, a county's petition must be amended or the county must revert to opening all precincts. KRS 117.066.
3. No voting machine in Kentucky is connected to the internet. This includes all of the machines that voters use to mark or cast their ballots on. KRS 117.125.
4. E-poll Books (EPBs) are used in every county to identify and check-in voters during all periods of voting. EPBs are connected to a secure network so that they can communicate instantaneously; this allows for a security check prohibiting voters from voting more than once, while allowing the Clerk's Office to monitor the polling location in real-time. It is important for these EPBs to be connected to a secure network; however, if there should be a time when a polling location loses

signal, the EPBs continue to function, and voters can still be checked in. When the EPB connection is restored, the EPBs will synchronize.

5. All machines are tested and inspected by the County Board of Elections and an accuracy board before being delivered to the polling locations. Any candidate, one (1) representative of each political party having candidates on the ballot, and the news media may be present when the County Board examines the machines. Once the inspections are completed, the machines are locked and sealed. Election Officers will break those seals the first morning of their use in an election. KRS 117.165

## **Becoming an Election Officer & How to Prepare**

How you came to be an Election Officer may vary. KRS 117.045 outlines the procedures for selecting an Election Officer. The County Board of Elections, not later than March 20<sup>th</sup> each year (except in a year in which no primary and regular elections are scheduled), appoints Election Officers from a list provided by the political parties, or

Per KRS 117.045(9), Kentucky Election Officers shall be:

1. A qualified voter of the precinct; except that, where no qualified voter of the required political party is available within the precinct, the election officer shall be a qualified voter of the county;
2. A minor seventeen (17) years of age who will become eighteen (18) years of age on or before the day of the regular election may serve as an election officer for the primary and regular elections in which he or she is qualified to vote; however, no precinct shall have more than one (1) person serving as an election officer who is a minor seventeen (17) years of age;
3. An election officer shall not be a candidate for office during the election year;
4. An election officer shall not be the spouse, parent, brother, sister, or child of a candidate who is to be voted for at the election in the precinct in which the election officer will serve on election day; and
5. An election officer shall not have changed his or her voter registration party affiliation after December 31 immediately preceding his or her appointment to serve for the primary, or after the second Tuesday in August to serve for the regular election.
6. An election officer may be removed, for cause, at any time up to five (5) days before an election.

*\* Per KRS 117.045(4)(f), while Election Officers are required to be qualified, registered voters, they are not required to be registered with either of the two political parties. (Independents or Other)*

### **What to know before you go...**

1. Read this manual and any other training guides that will be given to you before going to the polls. Election Officer Training is limited in time so it is ultimately up to you to prepare yourself for working at your polling location.

2. If you are working during the Excused, In-Person Absentee Voting period (6-day), or the No Excuse, In-Person Absentee Voting Period (3-day), you will be told where and when you will need to be there. During this time, remember, all regular election laws apply.
3. Remember that Election Day is a very long day, and that you must remain at the polling location **from at least 5:30 AM** (some County Boards of Elections may require that you be there earlier) **thru the time in which every machine is closed and all election equipment is secured or picked up** (each County Board of Elections or County Clerk will provide specific instructions on the end of the night procedures).
4. In advance, make sure that you have everything that you will need while you are working at the polling location. Again, you cannot leave during any part of the day.
  - a. **Make sure that you have something to eat and drink for the day.**
  - b. **Make sure to bring any medications you may need for the day.**
  - c. **Make sure that you have voted prior to Election Day if you are working in a polling location that does not include the precinct where you live.**  
*(Best Practice - vote before you work on Election Day).*
5. Know where you are working on Election Day or if you are helping with In-Person Absentee Voting. You should know the location and the entrance to where you are going in advance so that you can be on time and ready to go.
6. Last, but certainly not least, get plenty of rest the night before Election Day. Again, it is a very long day, and you need to be at your best.

**Note: You or another worker may be asked to pick up a key for the Voting Location Facility and/or a key to the Voting Machine(s) prior to your working.** The County Board of Elections or Clerk's Office may have staff that handle this; however, they will make you aware of this during training or prior to Election Day.

1. If you are given any keys to handle, you must maintain those, keeping them in your possession at all time for security purposes.
2. With these keys comes a great responsibility, as you will be the one that has to be there for the polling location to open. Remember this!

**Be Prepared...Be Rested...Be on Time or Early...**



## ONLINE PORTAL FOR MAIL-IN ABSENTEE BALLOTS

Registration Deadline  
April 22, 2024 4:00 p.m.

Primary Election  
May 21, 2024

Absentee Ballot Request

Review Your Registration or Absentee Ballot Status

New/Update Registration

Military & Overseas Voters

Polling Locations

KY Needs Poll Workers!

Candidate Filings

Sample Ballot

Election Results

Key Information

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KRS 117.085 describes how most voters can request a mail-in absentee ballot by using an online portal operated by the State Board of Elections that becomes active 45 days before an election. Using this portal requires the voter to enter some personal information at [www.GoVote.KY.Gov](http://www.GoVote.KY.Gov) for verification and security purposes. If a voter does not have the means or the ability to use the online portal, they can call their County Clerk's Office and give their information over the phone and have their data entered into an online system.

Voters who are eligible to request a mail-in absentee ballot must be:

1. A resident of Kentucky who is a covered voter as defined in KRS 117A.010;
  - a. A KRS 117A.010 voter is a uniformed-service voter or an overseas voter who is registered to vote in the Commonwealth of Kentucky.
2. A student who temporarily resides outside the county of his or her residence;
3. Incarcerated in jail and charged with a crime but has not been convicted of the crime;
4. Changing or has changed his or her place of residence to a different state while the registration books are closed in the new state of residence before an election of electors for President and Vice President of the United States, in which case the voter shall be permitted to cast a mail-in absentee ballot for electors for President and Vice President of the United States only;
5. Temporarily residing outside the state but still eligible to vote in this state;

6. Prevented from voting in person at the polls on election day and from casting an excused or no-excuse in-person absentee ballot on all days in-person absentee voting is conducted because he or she will be absent from the county of his or her residence all hours and all days excused, or no-excuse in-person absentee voting is conducted;
7. A participant in the Secretary of State's crime victim address confidentiality protection program as authorized by KRS 14.312; or
8. Not able to appear at the polls on Election Day or the days excused, or no-excuse in-person absentee voting is conducted on the account of age, disability, or illness, and who has not been declared mentally disabled by a court of competent jurisdiction.

The request process must be completed 14 days prior to an election unless the applicant is a military/ overseas voter who has until 7 days prior to the election to complete this process (this request should come in the form of Federal Postcard Application (FPCA)). These voters should be going to [www.GoVote.KY.Gov](http://www.GoVote.KY.Gov), where they can complete the FPCA online through the portal. All ballots must be mailed out or sent within 4 days of receiving the request. Only ballots received no later than 6:00 PM on Election Night are eligible to be counted; Kentucky doesn't have an extension period for mail-in ballots.

### **6-Day Excused In-Person Absentee Voting (Commonly Referred to as "Absentee Voting")**

**\*IMPORTANT: VOTER MUST HAVE A SPECIFIC EXCUSE TO VOTE DURING THIS TIME\***

KRS 117.076(2) - Any voter who is qualified to vote on Election Day in the county of his or her residence may make application to cast an excused in-person absentee ballot during normal business hours during the six (6) business days immediately preceding the Thursday of no-excuse in-person absentee voting. The voter who makes application under this subsection shall meet one (1) of the following requirements in order to cast his or her excused in-person absentee ballot:

1. Is a resident of Kentucky who is a covered voter as defined in KRS 117A.010 (Military or Overseas Voter), who will be absent from the county of his or her residence on the day of an election and during the days of no-excuse in-person absentee voting;
2. Has surgery, or whose spouse has surgery, scheduled that will require hospitalization on the day of an election and during the days of no-excuse in-person absentee voting;
3. Temporarily resides outside the state but is still eligible to vote in this state and will be absent from the county of his or her residence on the day of an election and during the days of no-excuse in-person absentee voting;
4. Is a resident of Kentucky who is a uniformed-service voter as defined in KRS 117A.010 confined to a military base on Election Day and during the days of no-excuse in-person absentee voting;

5. Is in her last trimester of pregnancy and the voter completes the form that is prescribed by the State Board of Elections, which contains a sworn statement that the voter is in her last trimester of pregnancy at the time she wishes to vote;
6. Has not been declared mentally disabled by a court of competent jurisdiction and, due to age, disability, or illness, is not able to appear at the polls on Election Day and during the days of no-excuse in-person absentee voting;
7. Is a student who temporarily resides outside the county of his or her residence and will be absent from the county of his or her residence on the day of an election and during the days of no-excuse in-person absentee voting;
8. Any person employed in an occupation that is scheduled to work during all days and all hours, which shall include commute time, the polls are open on election day and during the days of no-excuse in-person absentee voting; or
9. Any election officer tasked with election administration for the current election cycle.

Machines operated for this type of voting will be used over the course of the six (6) day period. At the end of each day, follow the instructions provided by your vendor and remember to power down the scanner machine that holds all of the voted ballots. **REMEMBER DO NOT CLOSE THE POLLS ON THESE MACHINES AND PRINT RESULTS.** The Clerk's Office or County Board of Elections will have you securely store these machines at the end of each night of voting. No election results will be released until after 6:00PM on Election Night.

Form SBE 79 should be verified and completed each day (SEE PAGE 17). Clerks may use other forms for accounting for these numbers and seals in addition to the SBE 79.

During the 6-day Excused, In-Person Absentee Voting period, voters will be checked-in on an E-poll Book and will fill out an SBE 44E form attesting to the reason that they are required to vote early. The Clerk will retain this paper copy printed from VRS for 22 months after the election.

### **3-Day No-Excuse In-Person Absentee Voting (Commonly Referred to as "Early Voting")**

KRS 117.076(1) - Any voter who is qualified to vote on Election Day in the county of his or her residence may choose to cast a no-excuse in-person absentee ballot on the Thursday, Friday, or Saturday immediately preceding the Tuesday of an election. The available hours from which a voter may cast his or her vote during these three (3) days are to be no less than eight (8) hours between 6 a.m. and 8 p.m. prevailing time, as determined by the County Board of Elections of each county.

Again, the County Board of Elections will decide where and when No-Excuse In-Person Absentee voting is to take place. All Kentucky election laws are to be followed just as they are on Election

Day. Election Officers who have concerns or questions at any point while working **SHOULD CALL THE CLERKS OFFICE AND GET GUIDANCE.**

At the end of each day of voting, follow the instructions provided by your Clerk or equipment vendor to power down the scanner machine that holds all the voted ballots:

**REMEMBER DO NOT CLOSE THE POLLS ON THESE MACHINES AND PRINT RESULTS.**

The Clerk’s Office or County Board of Elections will have you either securely store these machines so that they can be used on the following days of voting or put them aside to be transported to a secure location and closed-out on Election Night ONLY. No results will be released until after 6:00PM on Election Night.

**If the voting machines will be used for more than one day, you should power off each machine at the end of the day using the machine instructions and store the devices in a secure location within the facility. Remember that Form SBE 79 and SBE 76 should be verified and completed each day (SEE PAGES 17 AND 18). In addition to these forms, Clerks may use additional pages in accounting for the number of ballots and recording seal numbers (though these pages should still be attached to the SBE forms).**

**Critical: Make sure to use the machine instructions provided to you during your training.**

### DS200 EARLY VOTING DAILY SHUT DOWN PROCEDURE

Before you begin, be sure you have the Election Code, barrel key, silver key and DS200 Daily Voting Machine Verification Sheet from the clear folder.

1. Touch the **Tools** icon located in the upper right-hand corner. When prompted, enter the Election Code.
 

2. Use the verification sheet to write in the new Public Count and Protected Count numbers. **A judge from opposite parties must sign and then place this in the clear folder.**


3. Select the **Admin** icon in the upper right-hand corner.
4. Touch **Shutdown**.
 
5. Close the lid and lock it with the barrel key. Lower the top and lock with silver key. Get a yellow seal from binder to lock the top for the evening. Write the seal number on Verification sheet.
6. Unplug the cord and return the cord to the back compartment. Lock with the silver key.
7. Now give the clerk the public count on the scanner or scanners in your location. They will add this to the Signature Count Worksheet to audit the number of voters checked in.
 

### suspending and closing polls on Verity Scan

#### suspending polls on Verity Scan (Early Voting)

**1** Press the **blue** poll worker button on the back of the Verity Scan.



**4** Wait while the Suspend Polls report prints.

**5** The polls are now suspended. Print and file reports available on the screen as required by your jurisdiction. The available reports may vary and are configured by the election officials in your jurisdiction. You may use the space below to document your local requirements.



[local reporting requirements](#)

**2** Select Suspend Polls.

**2**



**3** Enter your Suspend Polls Code and select **Accept**. A Suspend Polls report will automatically print.



**6** When you have finished printing reports, press the **red** power button on the back of the Verity Scan to power it off.



▶ If applicable, wait for the Verity Scan to be completely powered down and showing a black screen before unlocking the tablet and removing it from the cradle.

▶ If stowing a tablet, make sure to lock it in with the key and pull the blue latch down to secure it in place.

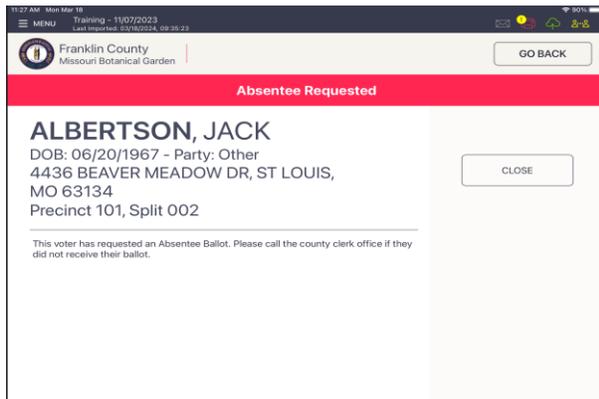
**7** Follow your local jurisdiction’s guidelines, including chain-of-custody procedures, when transferring voting devices, vDrives, and/or ballots to your central counting location. If you are leaving equipment in place, be sure to properly secure all equipment, preferably behind a locked door.

**Tip:** When the E-poll Book is started in the morning (if your E-poll Book is properly connected -- please refer to your E-poll Book training manual provide by your vendor), all voters who have

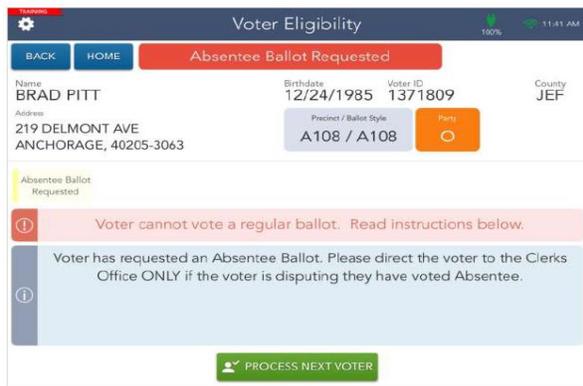
requested an absentee ballot by mail or voted during the 6-day excused and 3-day no excuse, in-person absentee period will display as having already voted on the EPB device. To double-check, the Clerk’s Office can give you a voter to lookup or one of the Election Officers who have voted early may check their license to see if they get the notice that they have already voted. If there is a connectivity issue in the polling location then, the Clerk’s Office will instruct you on how to proceed. **REMEMBER FOR ANY ISSUES, CONTACT THE CLERK’S OFFICE OR THE LOCAL BOARD OF ELECTIONS!**

## E-Poll Book Screens

### KNOWINK



### Tenex



### ES&S

**VOTER RESULTS WILL APPEAR IN RED, YELLOW OR GREEN.**

Indicates issue with Voter record, please call the Clerk's office

Color	Description
Green	Voter may vote a standard ballot.
Yellow	Voter may vote provisional ballot, or some action is required before voter can be issued a standard ballot.
Red	Voter cannot vote due to exceptions with their voter record.



No matter what E-Poll Book is being used, if you see any status box that isn't green then pay close attention to the message. If you are unsure on how to proceed with that voter, contact the Clerk’s Office or the County Board of Elections. **GREEN MEANS GOOD TO GO!!!\***

**\*(One exception to the green is good rule: KNOWINK userS who see green status “Voter has Voted” should not allow a voter to cast another ballot; that voter has already voted. Contact the Clerk’s Office, if the voter believes this is an error.)**

**SBE 79--- DAILY VOTING MACHINE VERIFICATION SHEET**



**Commonwealth of Kentucky**  
**Daily Voting Machine Verification Sheet**

**THIS FORM IS REQUIRED TO BE COMPLETED BEFORE VOTING BEGINS**  
**AND AFTER VOTING ENDS EVERYDAY OF IN-PERSON VOTING!**  
**PUBLIC NUMBERS MUST BE READ ALOUD**

- Excused In-Person Absentee Voting       No-Excuse In-Person Absentee Voting
- Election Day Voting

DATE	MACHINE LOCATION
TYPE OF DEVICE	DEVICE SERIAL NUMBER

Type of Device	Current Number of Seal	Status of the Seal
BEGINNING MEMORY DEVICE SEAL NUMBER		<input type="checkbox"/> SEALED <input type="checkbox"/> BROKEN
BEGINNING TUB SEAL SERIAL NUMBER		<input type="checkbox"/> SEALED <input type="checkbox"/> BROKEN
BEGINNING PUBLIC COUNTER NUMBER		

Verified by: \_\_\_\_\_  
 Print \_\_\_\_\_ /Signature \_\_\_\_\_  
 Election Officer #1

Print \_\_\_\_\_ /Signature \_\_\_\_\_  
 Election Officer #2 (\*Must be of different political affiliation than Election Officer #1)

Type of Device	Current Number of Seal	Status of the Seal
ENDING MEMORY DEVICE SEAL NUMBER		<input type="checkbox"/> SEALED <input type="checkbox"/> BROKEN
ENDING TUB SEAL SERIAL NUMBER		<input type="checkbox"/> SEALED <input type="checkbox"/> BROKEN
ENDING PUBLIC COUNTER NUMBER		

Verified by: \_\_\_\_\_  
 Print \_\_\_\_\_ /Signature \_\_\_\_\_  
 Election Officer #1

Print \_\_\_\_\_ /Signature \_\_\_\_\_  
 Election Officer #2 (\*Must be of different political affiliation than Election Officer #1)

**SBE 76- BALLOT RECONCILIATION STATEMENT**



**KENTUCKY STATE BOARD OF ELECTIONS**

**Ballot Reconciliation Statement**

County

Ballot Batch Numbers			
FROM		TO	

Date Ballots Received by Clerk or Date Printed by Clerk:	
--	--

Date Ballots Transferred to Polling Place:	
--	--

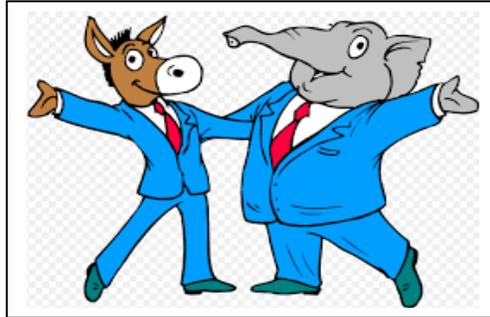
Day of Voting	Number of Ballots Cast During Polling	Number of Unvoted Ballots	Number of Ballots Spoiled
Thursday			
Friday			
Saturday			
Tuesday			

## On Election Day

All Election Officers should arrive at their polling location no later than 5:30AM (again, the Clerk's Office may require you to be there earlier). Election Officers may be assigned as:

1. Election Clerks;
2. Election Judges; or
3. Election Sheriffs.

Remember you are all on the same TEAM!



No matter your county's Election Plan, these positions will work together as a NON-PARTISAN TEAM to get voters in and out of the polling location as quickly as possible while upholding all election laws. **If you have any questions or issues throughout the day, contact the County Clerk's Office, County Board of Elections, or their staff member who may be on site working with you at your location.**

- Remember, throughout the day, you have specific duties associated with your position; however, you may be called on to help with another position, so make sure you have an idea of other jobs throughout the day. Someone is going to have to take a break or eat a sandwich, and you may need to fill in for them.
- Security is everyone's job.

## **ELECTION SECURITY PLAN AT THE START AND THROUGHOUT THE DAY**

Election Day security is largely in your hands. Each county must have a security plan in place. Your County Board of Elections must train you on your county's procedures to ensure security of the voting equipment and election materials. Below are procedures to follow in every county to ensure security.

### **Machine Delivery**

**The County Clerk must deliver the machines and all voting supplies to the polling locations at least one hour before the polls open. The county should designate a secure location within the polling location for the storage of these items until your arrival. Make sure you know where to find your election materials if you do not already have them.**

## **MACHINE PLACEMENT**

After you have inspected all equipment and supplies ensuring they are ready for use, begin the setup of each polling location. The following must be guaranteed:

- Voters should not be able to access the voting devices' power control, counter controls, and results storage media.
- You should maintain control of all administrator and ballot activation devices.
- You should verify date, time, and Precinct(s) or Voting Center Location on the voting devices.
- Voting booths should be setup to allow voters privacy to cast their ballots.

Both the polling location and the ADA Accessible Voting Machines or Ballot Marking Devices shall remain accessible to all voters with disabilities.

## **PAPER BALLOTS AT THE POLLING LOCATION**

- If your county uses preprinted paper ballots, you must count and verify the number of ballots you have received on the proper forms.
- Ensure that you secure all paper ballots throughout the day. Do not leave a stack of ballots unattended at any time during the day or allow voters access to the paper ballots unless voting a ballot.
- If you have a Ballot Print on Demand device in your precinct, make sure you allow only authorized Election Officers to use it and account for all ballots that are printed at the polling location. Make sure that you know how to properly use these Print on Demand devices to give the voters their correct ballots. Also, know how to periodically check that the number of ballots you have printed match the check-ins from the E-Poll Book as well as the ballots cast on the machines. (Ask at your training how to perform this check.)

## **POLLING LOCATION AND PROCESS SECURITY**

You should always secure the area around the voting devices.

Only Election Officers, other legally authorized personnel, and registered voters waiting to vote should be allowed in this area. Each Election Officer should have a clearly defined role so voters are able to identify the Election Officers and their particular responsibilities.

- The Judges should maintain control of any ADA Accessible Voting Machine or Ballot Marking Device and, if used by the voter, only issue the device when a voting machine is available for the voter's use. **DON'T** get too many people in the que line to vote waiting on a machine, because if someone should leave after being checked-in, they would not be allowed to vote if they came back.

- Election Officers must be vigilant to make sure the voting devices have not been damaged or tampered with by checking the equipment periodically throughout the day.

You should occasionally compare the following:

- The number of votes recorded on the scanning devices (DS 200 or Verity Scan).  
vs.
- The number of signatures in the EPB and **any form SBE 25, Supplemental Precinct Signature Roster that might exist** (all signatures are captured on the E-poll Book unless there is an unforeseen emergency issue with the E-Poll Book).

**If these numbers do not match, the Election Officers must IMMEDIATELY contact the County Clerk or Board of Elections to alert them and get instructions on steps to take to double check the numbers and documentation to prepare!**

Important security concerns may be avoided if you do the following:

- Arrange the voting machines or privacy booths so that the flow of traffic is not passing behind the voters as they are casting their ballots.
- Manage the flow of voters within the polling area so that lines are minimal and occur at the registration table and not at the machines.
- Do not let voters sign the E-poll Book until a voting device is ready if they are using a machine. Do not let a line develop at the voting device. Keep the line at the registration table.
- Wear identification tags so that the voters will recognize you as being an Election Officer at the polling location and your fellow workers will know who you are.
- Call the County Clerk immediately when a problem occurs.



## PERSONS ALLOWED IN THE VOTING ROOM

Kentucky law is very specific about who may be in the voting room during the hours the polls are open for voting. The only persons who may legally be in the voting room are:

- Election Officers
- Voters
- Anyone assisting a voter
- Voting machine technicians allowed by the County Board of Elections
- A minor may accompany the voter into a voting booth or other private area provided for casting a vote, at the voter's discretion
- Duly appointed challengers who have presented their written appointment
- Law enforcement officers – federal, state, and local; and
- Members of the news media – for the limited purpose of filming the voting process.
  - The media may not conduct interviews with voters inside the voting room, record the identity of voters, or disrupt the voting process. If the news media appear, you should immediately contact the County Clerk's office or the County Board of Elections

During the hours the polls are open, unless they are in the voting room to cast their own votes or assist a voter, the following individuals may not be in the voting room:

- Candidates and/or their family members
- Campaign workers – either for a candidate or for a question on the ballot
- Exit pollsters
- General “onlookers” or “well-wishers”
- Members of political parties, political organizations, or political groups who are not duly appointed challengers; and
- Any other individuals not listed in the section above

The election Sheriff should require unauthorized persons to leave. If they fail to leave when requested or if persistent violations occur, these violations should be reported to the County Clerk. All violations are reported on form SBE 53, Precinct Sheriff's Post-Election Report (SEE PAGE 40).

If an emergency occurs or someone escalates a situation that puts you, your fellow election officers, or the voters in danger, contact law enforcement immediately and with the help of one of your fellow workers, make the County Clerk's Office or your County Board of Elections aware of the situation.

**\*County Clerk's Offices or the County Board of Elections should also notify the State Board of Elections of any major irregular issues (examples- any court procedures, issues that involve law enforcement, etc....) that occur during any period of voting as soon as possible.**

## Getting Started (Who Does What and When...)

Your polling location must open at 6:00 a.m. local time. Again, please arrive at the polling location no later than 5:30 a.m. to allow enough time to prepare for the 6:00 a.m. opening.

**Best Practice:** If you are working a Standalone Precinct, you can get started with at least three Election Officers. Vote Centers or Consolidated Locations should start when  $\frac{3}{4}$  or 75% of their Election Officers are present. Voting Centers or Consolidated Locations may want to arrive earlier than 5:30 a.m. due to the amount of equipment needing to be setup and/or prep time to be open by 6:00 a.m.

### Different E-poll Books for each County:

The General Assembly passed legislation in 2022 to create a certification program that allows any E-poll Book vendor to have their products certified and then sold in the Commonwealth. As of January 2023, Kentucky had four (4) certified E-poll Books eligible to be used by counties. Throughout this guide, any sample images or instructions for the E-poll Books will refer to instruction booklets that will be provided by your County Clerk or E-poll Book vendor during your Election Officer training. Election Officer Clerks will be responsible for knowing how to setup and use the E-poll Book for checking in voters during voting times.

PLEASE REFERENCE TO YOUR E-POLL BOOK TRAINING GUIDE  
FOR SAMPLES AND INSTRUCTIONS

KENTUCKY'S 4 CERTIFIED E-POLL BOOK VENDORS

			
Civix	ES&S	KNOWINK	Tenex

### Election Clerks, Do This to Start the Morning:

1. Locate your E-poll Book and supply bag.
2. Setup your E-poll Book; **use the instruction booklet that is provided to you in Election Officer's class or notes from your specific training on the device:** (Tip: Have a surge protector strip to plug all your devices and machines into; this gives you some protection from a power surge. Also, some locations may have battery backups for you to use in cases where the power may go down.)
  - a. Locate your MiFi, Cradlepoint, or plum case device (if applicable) and plug it into a working power outlet, and power it on per instructions provided;



- b. Open your E-poll Book, plug it into a working power outlet, and power it up.
3. After the E-poll Book is ready to go, the Election Clerk(s) should locate their supply bag and go through the contents to organize their setup for the day.
  4. Assist other Officers with setting up the polling location; verify and sign the zero tapes from voting machines (the paper printout showing no votes have been recorded).

### Election Judges, Do This to Start the Morning:

1. Find the Election Officer who has the keys to open the voting machines or containers which allow the Election Officers to have access to the equipment and supplies for Election Day.
2. Setup voting machines to be used by the public at the polling location.
  - a. Vendors will provide step-by-step instructions on how to open, operate, and close all election equipment used during the voting process.
  - b. These instruction sheets or books should be used in your training while you are learning to use the vendor's equipment. The County Clerk's Office or the County Board of Elections should provide you with these documents during your local election training courses.
  - c. **Best Practice: One Judge should read instructions while the other performs the tasks taking their time to make sure everything is done properly.**

### Voting Machines Used for Kentucky Elections at the Polls (Alphabetical Order by Manufacturer)

- ES&S DS 200 or DS 450 Scanner
- ES&S Ballot On Demand
- ES&S Express Vote Printer
- ES&S Express Vote (Ballot Marking Device)
- Hart Intercivic Escan
- Hart Intercivic Eslate
- Hart Intercivic Verity Duo Scan
- Hart Intercivic Verity Duo Standalone (Ballot Marking Device)
- Hart Intercivic Verity Print
- Hart Intercivic Verity Touchwriter (Ballot Marking Device)

- While setting up the voting equipment, you should be verifying that all seals, counters, and other identifying numbers match the verification sheets provided by the County Board of Elections. The County Board of Elections will have versions of the following form for you to use. These forms have been completed by the County Board during the inspection process and will list all the information that you will need to verify. If anything is different, immediately contact the County Clerk's Office or the County Board of Elections before proceeding. After receiving instructions from them, make sure your Election Sheriff documents what happened with the incident on SBE 53 Sheriff's Report (SEE PAGE 40).

### SAMPLE VOTING MACHINE VERIFICATION SHEETS

**DS-200 VERIFICATION FORM**

ELECTION JUDGES NEED TO VERIFY INFORMATION BEFORE OPENING POLLS

	Judges' Initials
Precinct Name: _____	_____
DS-200 Serial Number: _____	_____
Yellow Wire Seal Number (door): _____	_____
Orange Wire Seal Number (lid): _____	_____
Red Tape Seal Number (USB port): _____	_____
Blue Tape Seal Number (back port): _____	_____
Public Count – Start: _____	_____
Protected Count – Start: _____	_____
RED BALLOT BAG SEAL (White): _____ BLUE SUPPLY BAG (White): _____	_____

Verified by KENTON County Board of Elections on (initial & date) \_\_\_\_\_

**ELECTION JUDGES TO COMPLETE WHEN CLOSING POLLS!**

Print two (2) paper tapes and have all the officers sign the tapes. One (1) of the tapes is to be posted at the polling location and the other returned to the County Clerk.

DS-200 Public Count – End \_\_\_\_\_

DS-200 Protected Count – End \_\_\_\_\_

Democratic Judge Signature: \_\_\_\_\_

Republican Judge Signature: \_\_\_\_\_

**ACCURACY TEST CHECKLIST**

Visual inspection of DS-200 as well as all working parts checked for damage & defects.

Visual inspection of screen, power cord, plugs, and USB drive slot.

Accuracy Test was performed:  On Voting System  On individual voting Machine

Completion of errorless test deck

Name of Persons Completing Accuracy Checklist \_\_\_\_\_ Date and Time: \_\_\_\_\_

This form must be completed and returned to the COUNTY CLERK.

**VERITY SCAN VERIFICATION FORM**

ELECTION JUDGES TO VERIFY INFORMATION BEFORE OPENING POLLS

	Judges' Initials
Precinct Name: _____	_____
Verity Scan Serial Number: _____	_____
Verity Scan Red Seal Number: _____	_____
Tub - Yellow Seal Number: _____	_____
Tub - Blue Seal Number: _____	_____
Tub - White Seal Number: _____	_____
Verity Scan Lifetime Counter: _____	_____
Red Ballot Bag Lock Seal: _____	_____

Signature \_\_\_\_\_  
Program Administrator who sealed Verity Scan

**ELECTION JUDGES TO COMPLETE WHEN CLOSING POLLS**

Print three (3) paper tapes and have all four officers sign the tapes. Two (2) tapes are to be returned to the County Clerk in the Result Tape Envelope and the third to be posted at the precinct.

Verity Scan Lifetime Counter Number \_\_\_\_\_

Signature \_\_\_\_\_  
Democratic Judge

Signature \_\_\_\_\_  
Republican Judge

**ACCURACY TEST CHECKLIST**

Firmware Version Identification 2.5.1 Precinct Name \_\_\_\_\_

Visual inspection of Verity Scan as well as all working parts checking for damage and defects.

Visual inspection of screen, power cord, plugs, and V Drive card slot.

Accuracy Test was performed:  On voting system  On individual voting machine

Completion of errorless test deck

Name of Person Completing Accuracy Checklist \_\_\_\_\_ Signature of Person Completing Accuracy Checklist \_\_\_\_\_

Date and Time \_\_\_\_\_ Not Representative

- After the voting machines are setup properly and all names and numbers are verified, you should have zero tapes that show that no votes are on any of the machines. Four (4) Election Officers (two (2) from differing political affiliations) should sign these zero tapes.
- Make sure that voting booths are setup and spaced where a voter has privacy when they come in to vote (**Best Practice - if possible, set booths where no voter can walk behind someone who is marking their ballot; usually in a manner, where the voter's back is to a wall when they are marking their ballot.**)
- Make sure and setup ADA voting devices in a manner that allows for easy access for anyone with disabilities and privacy for the voter. (**Best Practice- if possible, set machines where voter has a wall behind them so other voters don't walk behind them while they vote.**)
- Prepare the area where proper paper ballots will be given to voters or where ballot on demand devices will be used. Count and verify any pre-printed ballots that you have been provided. Also, make sure, during your training course that you fully understand how this will work in your location so that your voters get the correct ballot (ASK QUESTIONS—DON'T ASSUME!).

#### Extra Tips:

1. Flow is everything. Make sure to visualize and setup your location so that the flow in and out of the polling location is seamless (the Clerk's Office will probably have this laid or mapped out so that all you must do is execute).
  - a. The Voter enters and proceeds to a check-in line.
  - b. Gets to a check-in desk,
  - c. Is identified and checks-in,
  - d. Is given their specific ballot or some slip that identifies their proper ballot,
  - e. Moves to a voting booth or to an area where they receive their proper ballot based on the slip, they were given at the check-in area (after which they go to a voting booth),
  - f. Fills in their ballot,
  - g. Then proceeds to the line to cast their ballot in the scanner,
  - h. They scan their ballot and get their "I Voted" sticker
  - i. Voter leaves the polling location.
2. If you are working in a Voting Center where anyone can cast a ballot in one location, you should consider having a customer service table where anyone who has an issue, needs assistance, or will be using an ADA machine, can go so that the constant flow of voters can move rather quickly.

#### Election Sheriff(s) Do This to Start the Morning:

1. Be the official timekeeper at the polling location. The Sheriff should, at the beginning of the day, decide to make their cellphone, watch, or other timepiece the official clock for the polling location. At 6:00AM, the polls should open according to this official clock.
2. Locate all election materials that should be displayed at the polling location and place them where the public can easily view them (SEE LIST ON PAGE 27).
3. Check outside of the polling entrance to make sure that no signs or other campaign materials are within 100 feet of the entrance to the polling location. If there are signs within the 100 feet barrier, contact law enforcement and have them removed.
4. Setup any ADA ramps, door handles, or parking signs. Make sure that the pathways through the polling location are clear.
5. Make sure that United States Flag is positioned at the entrance of the polling location.
6. Assist other Officers with setting up the polling location; verify and sign the zero tapes from voting machines. In addition, help Judges setup and organize any preprinted ballots.
7. Locate the "I Voted Stickers" to be passed out to voters after they have scanned their ballots after the polls open.

**POSTERS AND NOTICES REQUIRED TO BE  
POSTED AT THE POLLING LOCATION**

It is the duty of all Election Officers to make sure these posters and notices are posted in a visible area inside the polling place by 6:00 a.m. on Election Day (Typically, this will be one of the first things that an Election Sheriff will take care of).

**\*If you are working in a Consolidated Location or a Vote Center, then a sign designating a particular precinct will not be displayed.**

Check (✓) when posted	Form Number	Poster or Notice Title
	SBE 52	<b>VOTE BUYING &amp; SELLING ARE ILLEGAL</b> (KRS 117.030(2))
	SBE 52B	<b>CLERICAL ERROR</b> (KRS 117.030(3))
	SBE 52C	<b>VOTER RIGHTS &amp; RESPONSIBILITIES</b> (KRS 117.030(1))
	SBE 52D	<b>PROHIBITION AGAINST CHECK-OFF LISTS IN THE PRECINCTS</b> (KRS 117.236)
	NO NUMBER	<b>SAMPLE BALLOT</b> (KRS 117.175)
	NO NUMBER	<b>INSTRUCTIONS</b> ▶ <b>METHOD OF VOTING BY USE OF MACHINE, AND</b> ▶ <b>PROPER METHOD OF CASTING A WRITE-IN VOTE.</b> (KRS 117.175 and KRS 117.255(1))
	NO NUMBER	<b>SIGN NEAR EACH VOTING MACHINE IDENTIFYING THE PRECINCT FOR WHICH THE MACHINE HAS BEEN DESIGATED, when 2 or more are sharing a facility.</b> (KRS 117.195(2))
	SBE/SOS/05	<b>NOTICE OF CANDIDATE WITHDRAWAL, IF ANY FILED WITH COUNTY CLERK PRIOR TO ELECTION DAY.</b> (KRS 118.212(5) AND KRS 118A.150(7))

These posters may be sent out to each polling location as individual posters or in some cases, the County provides a larger version in a combined format. Either way is allowed; just make sure that these are displayed where the public will notice them.

## **Ready to Go; Let's Start Voting**

Promptly at 6:00 AM, the polls open; remember the Sheriff will act as the official timekeeper throughout the day.

### **KRS 116.025—Eligibility to Vote**

- (1) Every person who is a citizen of the United States, a resident of this state, and a resident of the precinct in which he or she offers to vote on or before the day preceding the closing of the registration books for any primary, general, or special election, who possesses on the day of any election the qualifications set forth in Section 145 of the Constitution, exclusive of the durational residency requirements, who is not disqualified under that section or under any other statute, and who is registered as provided in this chapter, may vote for all officers to be elected by the people and on all public questions submitted for determination at that election, in the precinct in which he or she is qualified to vote. Any person who shall have been convicted of any election law offense which is a felony shall not be permitted to vote until his or her civil rights have been restored by executive pardon.
  - a. The Clerk's Office will have taken the appropriate steps (to the best of their abilities) to register voters correctly and place them in their right precincts.
  - b. Election Officers should follow the instructions given by the Clerk's Office during training and with the assistance of the E-poll Book, present voters with the correct ballot that is assigned to their address.

### **Some Specifics to Know About Voters and their Eligibility**

1. Voters should cast ballots based on their current residence. If a voter has moved and has a different address than what is listed in the E-poll Book, you should immediately contact the Clerk's Office so that they get their correct ballot.
2. A voter who moved to a different County after **April 22<sup>nd</sup>** is allowed to go back to their previous county and vote in their old precinct for only this election. They should complete a voter card at the old county polling location to register them in their correct county in future elections.
3. A voter who moved to a different county on or before **April 22<sup>nd</sup>** who did not change their voter registration to their new county is not eligible to vote in either county for this election or any future election until they register in their new county.
4. Any voter who believes that there is an error in their registration record can go to the County Clerk's Office on Election Day and request a hearing with the County Board of Elections (hearings may take place electronically via a computer or other telecommunications device).

### **Primary Voters: KRS 116.055 Qualifications for Voting in a Primary**

In a Primary Election, only voters who:

1. Possess all qualifications of required of voters in a regular election (see above);

2. Have been a registered member of the party whose primary he or she seeks to vote on December 31 immediately preceding the primary; and
3. Have remained continuously registered as a member of that party in whose primary he or she seeks to vote between December 31 immediately preceding the primary and the date set for the primary.

Summary: Primary voters must have been registered to that party by **December 31, 2023**, or be a new voter registered on or before **April 22, 2024** (and not have made a party change between 12/31/23 and 4/22/2024). KRS 116.055(1)-(4).

- Eligibility will be designated in your E-poll Book; be aware of how to determine this by reviewing your E-poll Book training documents.

Any registered voters who are independents, members of a political party who changed their party affiliation after 12/31/23 which makes them ineligible for a primary, or members of another political organization shall be able to vote only for any nonpartisan races listed on the primary ballot, if there are any. Otherwise, they will be unable to vote because they simply don't have anything to vote for.

Voters aged 17 can vote in the primary if they meet the requirements above and will be 18 on or before **November 5, 2024**. KRS 116.055(5).

- Special Note for Wet/Dry Elections that will be held on the same date as a primary: Voters who are not 18 by the date of the Primary Election are not eligible to vote in a Wet/Dry Election.
- Special Circumstances for Special Elections held on a primary: Voters who are not 18 by the date of the Primary Election are not eligible to vote in a Special Election.

Summary: Because both of these types of elections are decided on during the time of the Primary, a voter under 18 would not be eligible to cast a vote. A voter who is 17 can vote in races that have primaries because the primary is simply a nominating event and the voter will be of age by the time the candidates that are nominated in the primary actually stand for election in the General Election. They will be of legal voting age by the time the races are finalized.

If you are working in an area that has the possibility of this being an issue, your E-poll Book will label these voters, and they would have a separate ballot-style. This should be explained to you in your training if it applies.

Take away: Ask questions in training to determine if you are working in a location that has special circumstances, and above all else, **ONLY ELIGIBLE REPUBLICANS SHOULD VOTE IN THE REPUBLICAN PRIMARY AND ONLY ELIGIBLE DEMOCRATS SHOULD VOTE IN THE DEMOCRATIC PRIMARY.**

## Clerk’s Duties Throughout the Day

As voters enter the polling location, they will make their way to the Election Clerk’s desk where they will be asked to present some form of identification or will have to identified by one of the means listed and explained below (the majority of the voters will present a Driver’s License; however, there are other acceptable forms of identification for a voter to present).

### Identifying a Voter (Forms SBE 71 & 72 Shown on Page 31)

VOTERS MAY CONFIRM THEIR IDENTITY BY MEANS OF:		ROSTER CODE
1.	Producing a document issued by Kentucky containing the voter’s name and photo	KY
2.	Producing a document issued by the United States containing the voter’s name and photo	USA
3.	Producing a document issued by the United States Department of Defense, branch of the uniformed services, Merchant Marines, or Kentucky National Guard containing the voter’s name and photo	MIL
4.	Producing a document issued by a public or private college, university, or postgraduate technical or professional school located in the United States containing the voter’s name and photo (high school ID is not valid)	SCHOOL
5.	Producing a document issued by any city government, county government, urban-county government, charter county government, consolidated local government, or unified local government, located in Kentucky containing the voter’s name and photo	GOVT
6.	Completing form SBE 71 AND presenting their Social Security card	SBE 71 & SS
7.	Completing form SBE 71 AND producing an SBE approved County ID card	SBE 71 & SBE
8.	Completing form SBE 71 AND producing any ID card displaying the voter’s name and photo	SBE 71 & ID
9.	Completing form SBE 71 AND producing a food stamp identification card, electronic benefit transfer card, or supplemental nutrition assistance card issued by Kentucky displaying the voter’s name	SBE 71 & AID
10.	Completing form SBE 71 AND producing a credit or debit card displaying the voter’s name	SBE 71 & CC
11.	Being known by Election Official by name as a resident of the community (Election Officer must also complete form SBE 72)	KNOWN

Question: Can a voter present an expired Kentucky Driver’s License and use this as an acceptable form of identification?

Answer: KRS 117.001 states that for “proof of identification” the ID only be issued by the Commonwealth or U. S. Government and contain the name along with the photograph of the individual that the document is issued to. Nowhere does it state that an ID is required to not be expired. Do not turn a voter away whose ID is expired.

**\*\* Note: An out-of-state Driver’s License, whether valid or expired, is not an acceptable form of ID by itself. See #8 Above—Voter must also complete an SBE 71 form \*\***

**SBE 71 Voter Affirmation Form (For Identity- Must be Used for Reason 6, 7, 8, 9, & 10)**



**KENTUCKY STATE BOARD OF ELECTIONS**  
Voter Affirmation Form

I, \_\_\_\_\_, do hereby affirm that the name I have given here is the name that I am generally known by or the name I have given here is as stated on my voter registration.

I further affirm that:

To the best of my knowledge and belief, my date of birth is \_\_\_\_\_.

My current residential address, including the street address number is:

\_\_\_\_\_, if my address changed in the twenty-eight (28) days prior to the date of this election, I affirm that I moved on \_\_\_\_\_ and that my prior address was:

\_\_\_\_\_.

\_\_\_\_ I am a citizen of the United States;

\_\_\_\_ I am qualified to vote in this precinct under current Kentucky laws related to voter eligibility;

\_\_\_\_ I have not voted and will not vote in any other precinct during this election;

The following impediment has prevented me from procuring proof of identification as defined under KRS 117.001:

\_\_\_\_ Lack of transportation;

\_\_\_\_ Inability to obtain my birth certificate or other documents needed to show proof of identification;

\_\_\_\_ Work schedule;

\_\_\_\_ Lost or stolen identification;

\_\_\_\_ Disability or illness;

\_\_\_\_ Family responsibilities;

\_\_\_\_ Proof of identification has been applied for, but not yet received;

\_\_\_\_ I have a religious objection to being photographed.

I understand that making a false statement as to any of the affirmations on this form is punishable under penalties of perjury.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

SBE 71 04/2022

**SBE 72 Election Officer Affirmation Form (For Identity- Must be Used for 11-Personal Acquaintance)**



**KENTUCKY STATE BOARD OF ELECTIONS**  
Election Officer Affirmation Form

In accordance with K.R.S. 117.228(4), I \_\_\_\_\_, do hereby affirm the identity of \_\_\_\_\_, an individual wishing to vote in this election, as this individual is known to me by name and I know this individual to be a resident of this community.

\_\_\_\_\_  
Signed Name of Election Officer

\_\_\_\_\_  
Date

SBE 72 (04/2022)

## USING THE E-POLL BOOK

Again, remember to review the training E-poll Book documents provided to you in your Election Officers Training. These materials will teach you how to open, use, and close the electronic roster book throughout the election process.

What Happens When:

### VOTER IS LISTED ON THE E-POLL BOOK AS REQUESTING AN ABSENTEE BALLOT

You must ensure that the absentee delta files have been downloaded to the device or the County Clerk has provided you another means for updating the absentee voters (you can contact your County Clerk's Office to make sure this was completed for you or if you need to take further action).

No person who has applied for an absentee ballot may vote in person at the polling place on Election Day, unless the Election Officers receive one of the following:

- Form SBE 26, "Authorization to Vote" at the Polling location;
- or
- Court order.

COMMONWEALTH OF KENTUCKY  
STATE BOARD OF ELECTIONS

### AUTHORIZATION TO VOTE

TO THE ELECTION OFFICERS OF \_\_\_\_\_  
Name of Voting Location

This is to certify that a voter registration record is on file in the County Clerk's office for:

_____	_____
Name of Voter	Date of Birth
_____	_____
Party	Address

Please add this name to the Supplemental Precinct Roster with all information required and permit this person to sign the roster and vote.

<b>COUNTY CLERK'S USE ONLY</b> <input type="checkbox"/> Improper Removal <input type="checkbox"/> Wrong Precinct Code <input type="checkbox"/> Failure to make proper change reported <input type="checkbox"/> Absentee Ballot cancelled	_____ Chair, County Board of Elections or Authorized Agent
	_____ County
	_____ Date

SBE 26 (04/2024)

**Tip for Best Customer Service:** If you can provide some form of video telecommunication (something done over the phone or by other digital means) to interact with the local County Board of Elections in place of appearing in-person in front of the CBOE, then do so to limit the time and transportation issues that might arise from a voter having to appear in person before the Board. This is an offering that each county may decide to use during the times in which voting is taking place.

**A MILITARY VOTER WHO HAS REQUESTED AN ABSENTEE SHOWS UP TO VOTE IN-PERSON**

A Military Voter who shows up at the polling location and has their Mail-in Absentee Ballot can go to the Clerk’s Office, cancel their ballot, and then return with an “Authorization to Vote” form (SEE PAGE 32). They can then cast a ballot at the polling location. If they do not have their ballot, the Election Officer should call the Clerk’s Office to verify that have not returned a ballot. After this verification, the voter should complete the SBE 32 Oath of Voter (SEE PAGE 36) and sign the E-poll Book once they have returned. The reasoning behind this is that a military voter who completes a Federal Postcard Application (FPCA) is automatically issued a mail-in ballot for any election in the next 365 days. If they return from deployment or have switched bases, they may never have received the ballot mailed to them. Military individuals get special consideration because of these circumstances.

**\*THIS ONLY APPLIES TO MILITARY/OVERSEAS VOTER\***

**A PARTICIPANT OF ADDRESS CONFIDENTIALITY PROGRAM (Address comes up listed to “700 Capital Ave”)**

Victims of certain crimes, including domestic violence, abuse, and sex crimes can apply for the Kentucky Address Confidentiality Program (“ACP”). The ACP is administered by the Kentucky Secretary of State’s Office. Participants in the ACP are permitted to vote by mail-in absentee or may appear in the polling place on Election Day or during times of In-Person Absentee Voting.

If your county has ACP participants, each ACP participant will be listed in the EPB with an address of 700 Capital Avenue. When you locate an ACP participant’s name, you should do the following:

<b>ACP PARTICIPANT LISTED IN EPB</b>	
1.	Confirm ACP participant’s identity;
2.	Fill in the Identification type on the line provided;
3.	Direct ACP participant to sign the EPB;
4.	Affix your initials on the EPB; and
5.	Allow ACP participant to vote.

**VOTER’S NAME IS DIFFERENT FROM NAME ON EPB**

If a voter shows identification that has a different last name than the one on the EPB, the voter must complete a new voter registration card reflecting the name change and is permitted to vote.

If a voter changes their name on their Driver's License but fails to update their voter registration record, the voter is eligible to vote and should sign the EPB and cast their ballot. After the election, the County Clerk will update their voter registration information. **Have the Voter sign their current name and complete a new voter registration document, (SEE BELOW)**

**SAMPLE OF A VOTER REGISTRATION CARD/APPLICATION:**

**SBE 01 (03/2020) You MUST answer questions A & B below before completing this form. 4069001**

**A. Are you a citizen of the United States of America?**  YES  NO *If you checked "no" in response to either of these questions, do not complete this form.*

**B. Will you be 18 years of age on or before election day?**  YES  NO

Check one:  New Registration  Address Change  Party Change

FOR CLERK USE ONLY

Precinct Code: \_\_\_\_\_ Precinct Name: \_\_\_\_\_ Town: \_\_\_\_\_ Other Code: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth (MM-DY): \_\_\_\_\_ County (where you live): \_\_\_\_\_ Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Female  Male  Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Middle Name: \_\_\_\_\_ Suffix (circle one): Jr. Sr. II III IV

Address where you live (do not give PO Box address): \_\_\_\_\_ Apt # \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_

Address where you get your mail (if different from above): \_\_\_\_\_ Apt # \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_

Party Registration - check one box:  Democratic Party  Republican Party  Other \_\_\_\_\_

NOTE: You may change your political party affiliation at any time on or before December 31<sup>st</sup> to remain eligible to vote in the following primary election.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

TWO WITNESSES REQUIRED IF "MARK" IS USED

Witnessed By: \_\_\_\_\_ Witnessed By: \_\_\_\_\_

To maintain your privacy, fold on perforated line, secure with tape and mail  
**COMMONWEALTH OF KENTUCKY**  
**MAIL-IN VOTER REGISTRATION FORM INSTRUCTIONS**

You can use this form to: register to vote, change your name, change your address, register with a party or change parties.

**Party Registration:**  
 Kentucky has closed party primary elections, which means you must register as a Democrat or Republican to vote in that party's primary election. If you select "Other" as your party registration, you are eligible to vote in nonpartisan city and judicial primary elections ONLY. All eligible registered voters may vote for any candidate regardless of party registration in general or special elections. Only persons timely registered to vote shall have the right to vote.

- NOTE:**
- You must mail or return the completed voter registration to your local county clerk at least 29 days prior to the election.
  - A listing of county clerk contact information is available on the State Board of Elections website: [www.elect.ky.gov](http://www.elect.ky.gov)
  - If you are already registered to vote, you may change your political party registration at any time on or before December 31<sup>st</sup> to remain eligible to vote in the following primary election.
  - If you want to check your voter registration record, the Voter Information Center (VIC) is available on the State Board of Elections website, [www.elect.ky.gov](http://www.elect.ky.gov). VIC includes the address of your voting precinct, a map with driving directions, and your current party registration.

**Questions? Contact Your Local County Clerk OR**

State Board of Elections  
 140 Walnut Street  
 Frankfort, KY  
 (502) 573-7100  
[www.elect.ky.gov](http://www.elect.ky.gov)

Deaf and Hard of Hearing persons with TDD: call (502) 573-7100

Revised 03/2020

**Commonwealth of Kentucky Voter Registration Application**

FOR CLERK USE ONLY

Precinct Code: \_\_\_\_\_ Precinct Name: \_\_\_\_\_ Town: \_\_\_\_\_ Other Code: \_\_\_\_\_

**Print your name**  
 1 Last: \_\_\_\_\_ First: \_\_\_\_\_  
 Use blue or black ink only.  
 Middle: \_\_\_\_\_ Jr. Sr. II. III. IV (circle if applicable)

**Eligibility**  
 2 Are you a citizen of the United States?  YES  NO  
 If you answer "No" to either question, you cannot register to vote.  
 Will you be 18 years of age or older on or before Election Day?  YES  NO

**Reason**  
 3  New Registration  Address Change  Party Change  Name Change

**About You**  
 4 Gender:  Female  Male  
 Birthdate (MM/DD/YYYY): \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Your address**  
 5 If you are homeless and lack an established and fixed residence of regular return, you may list a location with a fixed address as your place of habitation.  
 Address where you live (no P.O. Box): \_\_\_\_\_ Apt: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ County: \_\_\_\_\_ State: KY Zip: \_\_\_\_\_  
 Address where you get mail (if different than above): \_\_\_\_\_ Apt: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Political party**  
 6 You may change your political affiliation at any time on or before December 31<sup>st</sup> to remain eligible to vote in the following primary election.  
 Democratic Party  Republican Party  Independent  Other \_\_\_\_\_  
 To vote in a primary, you must register with either the Democratic or Republican party. If you select "Independent" or "Other" as your affiliation, you are eligible to vote for only nonpartisan offices in any primary election. You may vote for any candidate in all general or special elections. Only persons timely registered shall have the right to vote.

**Signature**  
 7 I swear or affirm that:  
 I am a U.S. Citizen.  
 I am a current resident of Kentucky.  
 I will be at least 18 years of age on or before the next general election.  
 I am not a convicted felon, or I have been convicted of a felony, my right to vote has been restored following an expungement, Executive Pardon, or Executive Order.  
 I have not been judged "mentally incompetent" in a court of law.  
 I do not claim the right to vote anywhere outside Kentucky.  
 Signature: \_\_\_\_\_ Date: (MM/DD/YYYY): \_\_\_\_\_  
 Voter sign here: \_\_\_\_\_

I would like to be contacted by my County Clerk about becoming a poll worker in Kentucky

**Optional**  
 8  I authorize the Kentucky State Board of Elections to send the information contained on this form to the appropriate voter registration officer who shall have my authorization to CANCEL my voter registration from my former state of residence.  
 Address where you were previously registered: \_\_\_\_\_ Apt: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

SBE 01 (04/2024)

**\*NEW VOTER REGISTRATION CARD WILL BE AVAILABLE 2024**

- A voter does not have to put their social security number on their card for it to be valid.
- A voter does not have to list a gender on their registration card for it to be valid.
- A power of attorney (POA) cannot sign a voter card for a voter; if the voter cannot sign their name, they should make a mark and have two witnesses attest to watching the voter make their mark for voter registration purposes.

## VOTER DOES NOT RESIDE IN PRECINCT LISTED ON THE EPB OR ADDRESS HAS CHANGED

If an individual gives you an address other than the one shown on the EPB, and it is in a different precinct within your county, then:

- If you are working in a Precinct or Consolidated Location -- The individual must vote in the precinct in which they live. Call the County Clerk for the polling location of their correct precinct and then, direct the voter to the correct polling location for that precinct.
- **If you are working in a Vote Center, you will call the Clerk's Office or the County Board of Elections and get voter's correct precinct code and ballot-style information before having them sign the E-poll Book using the NEW SUPPLEMENTAL PROCEDURE, Oath of Voter, and New Vote Registration Card. They can then vote with their correct ballot.**

If the individual gives you an address other than the one shown on the EPB and it is in another county:

- If the individual moved to a different county while the voter registration books are closed (**April 23, 2024- May 27, 2024**), then the individual should be permitted to vote in his old county of residence for one (1) election only. The individual should be instructed to register in their new county of residence. The individual should be given a voter registration card to complete and mail to the County Clerk in the new county.
- If the individual moved to a different county before the voter registration books closed on **April 23, 2024**, and failed to change their registration, then the individual is not eligible to vote in the old county or the new county of residence. The individual should be instructed to register in their new county of residence so that they will be eligible to vote in the next election. The individual should be given a voter registration card to complete and mail to the County Clerk in the new county.

Tip: If you are working out of a Vote Center and a voter has to have their registration updated to their correct address (or has any other issue), they should be pulled to a customer service table so that the line can continue to move while they are being taken care of. If you are working in a Precinct or Consolidated Location, you can have one of the other Election Officers take them a side and get the voter fixed up.

When a voter needs to make an address change, you should take the following steps:

1. Call the Clerk's Office or the County Board of Elections to get their proper precinct code and ballot-style.
2. If you are working in a Precinct or Consolidated Location and the voter's address is not in your precinct(s), guide the voter to the correct Polling location. In a Voting Center, this will not be an issue as a Voting Center allows for any voter to cast their ballot in that Polling location
3. Before the Voter can cast a ballot, you must have the voter complete:
  - a. A New Voter Registration Document (SEE PAGE 34);

- b. An Oath of Voter Form (SEE BELOW); and
  - c. NEW -- The Election Officer will follow the E-poll Book Instructions to allow the voter to sign in on the E-poll Book as a Supplemental (SEE E-poll Book Training Guide for instructions)
4. ONLY after they have completed all three steps, should you give them their proper ballot.

**SBE 32 OATH OF VOTER FORM**

**COMMONWEALTH OF KENTUCKY**  
**STATE BOARD OF ELECTIONS**

**OATH OF VOTER**

When a voter has moved to a new precinct within the same county and is not listed on the current precinct roster, when the officers of an election disagree as to the qualifications of a voter, or when a voter's right to vote is disputed by a challenger, the voter shall sign the following oath as to his qualifications before he is permitted to vote.

I, \_\_\_\_\_, hereby state, under oath,  
**(Name: Please Print)**

that I am duly registered as a \_\_\_\_\_ voter in this precinct in  
**(Political Party Preference)**

\_\_\_\_\_ County, Kentucky and that I currently reside at  
**(County)**

\_\_\_\_\_. My previous address was  
**(Current Residence Street Address, City, and Zip Code)**

\_\_\_\_\_ in this county.  
**(Previous Residence Street Address, City, and Zip Code)**

I know of no legal disqualifications which should prevent my vote from being cast and counted in this election and I affirm that I have not voted and will not vote in another precinct or by absentee ballot in this state during this election.

I understand that any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to the penalties therefore. I further understand that if I execute the Oath and am not a registered voter at the current address stated above, I have committed a criminal act.

Voter must sign here	Date of Birth	Date
<div style="border: 2px solid black; padding: 5px;"> <p>Precinct Name or No. _____  Signature of Precinct Election Officer or Challenger _____  This Oath shall be returned to the County Clerk who shall deliver it to the  Commonwealth's Attorney for investigation.</p> </div>		
<p>___ Voter moved to new precinct/new address. Not on precinct roster. Update registration.</p> <p>___ Election Officer/Challenger dispute voter's qualifications.</p> <p>___ Request to vote in-person after mail-in ballot request.</p>		



SBE 32 (03/2022)

**Special Circumstances (Election Officers must send voter to the County Clerk’s Office or If possible, use a video teleconferencing procedure):**

- If a voter has been placed in the wrong county (Real ID issue or County Clerk’s Office error), that voter must go to the County Clerk’s Office where they reside. Once there, the County Clerks from both counties must determine if the voter is eligible and if this was indeed an error caused by the Regional ID Office. If they concur, the Clerk of the county where the voter is registered in VRS can send a letter/email to the Clerk in the county in which the voter resides stating that they agree that the voter has been placed in the wrong county and is eligible to vote in the correct county. At that time, the Clerk, their staff, or the County Board of Elections in the county where the voter resides will follow the steps that the E-poll Book vendor has trained them on regarding adding that voter to the E-poll Book and should immediately register this voter in VRS (please reach out to the VRS helpdesk - [vrshelpdesk@ky.gov](mailto:vrshelpdesk@ky.gov)). This will allow the voter to show up on the E-poll Book (**Connectivity at the location must be on to make this work—Clerks’ Offices should be monitoring this in their E-poll Book monitoring suite**). The voter can then return to the Precinct or Consolidated Location where they should vote, or if your county utilizes a Vote Center model, any location. **DOCUMENT THIS PROCESS THOROUGHLY INCLUDING THE INTERACTION WITH THE TWO CLERKS!** This is a decision that should be made between the two Clerks and County Boards of Elections.
- If a voter is not in the E-poll Book and has been found to be an eligible registered voter by the County Board of Elections, the voter must go to the Clerk’s Office, or if possible, use a teleconferencing procedure to address the issue. At this time, the Clerk, their staff, or the County Board of Elections will use instructions on how to add that voter to the E-poll Book and should immediately register this voter in VRS (please reach out to VRS to make them aware of this situation - [vrshelpdesk@ky.gov](mailto:vrshelpdesk@ky.gov)). This will allow the voter to show up on the E-poll Book (**Connectivity at the location must be on to make this work—Clerks’ Offices should be monitoring this on in their E-poll Book monitoring suite**). The voter can then return to the Precinct or Consolidated Location where they should vote, or if your county utilizes a Voter Center model, any location. The County Clerk should give them a copy of an Authorization to Vote, which is Form SBE 26 (SEE PAGE 32).

Tip: In preparation of election supplies, a paper SBE 25 Supplemental Precinct Signature Roster should be part of those supplies, as an emergency backup to any scenario that may not have been foreseen.

## **CHALLENGERS**

### **Challenger Basics**

- Challengers must produce written appointment to Election Officers on demand.
- Challengers may question the eligibility of a voter who presents himself at the polls. Reasons a challenger may dispute a voter may include:
  - The voter is not a duly registered voter in the precinct (Not Applicable in a Vote Center);

- The voter is not a resident of the precinct (Not Applicable in a Vote Center);
- The voter is a convicted felon who has not had his civil rights restored; or
- The voter is not the person he claims to be.
- If the challenger attempts to challenge a person's right to vote, he must explain his challenge only to the election officer, not to the voter.
  - The challenged voter will then need to sign form SBE 32, Oath of Voter (SEE PAGE 36), before being allowed to follow the normal procedures for voting.
  - The challenger will sign the bottom portion of form SBE 32, Oath of Voter (SEE PAGE 36), and state their reason for challenging the voter's right to vote in that precinct (Not Applicable in a Vote Center).
- Challengers are the only persons permitted to have a check-off list in the form of paper, cellphones, computers, or any other electronic device to record the identity of a voter within the voting room.
- Challengers are entitled to stay in the voting room all hours during Election Day.
- Challengers may come and go from the voting room throughout the day.

**Challengers Cannot:**

- Electioneer or campaign on behalf of any candidate, issue or political party.
- Handle election materials (except the signing of form SBE 32, Oath of Voter, for challenged voters).
- Attempt to intimidate or harass, verbally or otherwise, any voter who is being challenged or any election officer.
- Behave in any manner to disrupt activities at the polling place or attempt to interfere with the proper conduct of the election.

An election officer may order a challenger to leave the polling location after one warning if the individual violates any of the above-mentioned. A challenger who is ordered from a polling site shall be prohibited from serving as a challenger in any polling location in any election for a period of five (5) years.

**Election Sheriff Duties Throughout the Day**

Election Sheriffs are primarily responsible for making sure that no electioneering is taking place in the polling location while people are casting their ballots. They are to enforce the 100-foot ban from the entrance of the polling location and document any infractions or irregularities on the SBE 53 Precinct Sheriff's Report (SEE PAGE 40). In addition to these duties, after the voters have cast their ballots and are leaving the Polling location, the Election Sheriff should make sure that voters have "I Voted" stickers (this can be shared with other Election Officers in accordance with the Clerk's Office Voting Plan).

## **ELECTIONEERING**

No person may electioneer within one hundred (100) feet of the entrance of a voting location. However, this restriction does not apply to private property (unless it is being used as a voting location). Individuals conducting exit polling or having bumper stickers on vehicles that are present for a reasonable amount of time in which to vote are also not considered to be in violation of the electioneering prohibition. KRS 117.235.

A bumper sticker is defined as measuring within **14 inches by 5 inches (14" x 5")**, affixed to a person's vehicle while parked within or passing through a distance of one hundred (100) feet of any entrance to the building in which a voting machine is located if that entrance is unlocked and is used by voters during the hours voting is being conducted in the building for a reasonable amount of time in which to vote.

**DO NOT TURN ANY ELIGIBLE, REGISTERED VOTER AWAY FROM THE POLLS BEFORE GIVING THE VOTER A CHANCE TO CAST A BALLOT.**

If you, as an election officer, witness **ANY** electioneering on Election Day, you must notify or warn the individual of the prohibition on electioneering. If you believe a voter has violated the electioneering law, the election Sheriff should contact the County Clerk's office and report the violation on the SBE 53 Precinct Sheriff's Post-Election Report (SEE PAGE 40).

Enforcement of the electioneering statute is the responsibility of the Election Officers, County Clerk, deputy County Clerk, or other law enforcement official. You, as an Election Officer, **SHOULD NOT** enter upon private property to remove electioneering materials.

## **EXIT POLLING**

### **KENTUCKY LAW ALLOWS EXIT POLLING ON ELECTION DAY.**

Individuals conducting exit polls do not have to register or have credentials, and there is no limit as to a distance they must keep from the polls. However, those who conduct exit polling are not allowed to be located within the voting room and are not allowed to disrupt the election process.

### **VOTERS ARE NOT OBLIGATED TO PARTICIPATE IN THE EXIT POLLING.**

Individuals who conduct exit polling may only talk to voters as they leave the polling place after the voter has already voted.

## **PROHIBITION AGAINST CHECK-OFF LISTS**

No person allowed in the voting room, including the Election Officers, may use paper, telephones, personal communication devices, computers, or other information technology systems to create a check-off list or record the identity of voters, except for the official use of the EPB or form SBE 25, Supplemental Precinct Signature Roster if necessary, furnished by the State Board of Elections, and challengers. However, the news media may use cameras for the limited purpose of filming the voting process, but they may not record the identity of voters.

## BALLOT SELFIES

- Kentucky law does not prohibit a voter from taking a “ballot selfie.” 31 KAR 4:170(2) and OAG 16-007.
- Voters may possess and use their cellphones in the voting room to take a “ballot selfie”. 31 KAR 4:170(2).
- “Ballot selfies” are limited to a picture of oneself and their personal ballot inside the voting room.
- While law permits “ballot selfies”, voters should exercise caution in the practice of taking a “ballot selfie” to refrain from inadvertently recording the identity of other voters or other voter’s ballots in the voting room, as this would violate KRS 117.236(2). Furthermore, voters should refrain from communicating their support or nonsupport of a candidate, party, or measure on the ballot to other voters in the voting room as this may violate KRS 117.235(4).
- The election Sheriff should document any possible violations on form SBE 53, Precinct Election Sheriff’s Post-Election Report.

## SBE 53 PRECINCT SHERIFF’S REPORT

- If working in a Consolidated Precinct, list all precincts that are voting at that Polling location.
- If working in a Voting Center, put “All” under precincts.

Commonwealth of Kentucky  
State Board of Elections

**PRECINCT ELECTION SHERIFF'S  
POST-ELECTION REPORT**

**KRS 117.255(1)** Within three (3) days after any primary or general election, the precinct election sheriff shall file a report with the chair of the county board of elections and with the local grand jury. The report shall include any irregularities observed and any recommendations for improving the election process.

County	
Date Of Election	
Precinct / Consolidated Location / Vote Center	
Name Of Precinct Election Sheriff (Please Print)	

**IRREGULARITIES OBSERVED:** (If you observed any irregularities, describe in your own words with as many details as possible, including names of alleged violators of election laws. Alleged violations should include violations of KRS 117.255 relating to assisting voters and execution of the voter assistance forms, adjusting the voting machine in primary elections to enable the voter to vote for only persons for whom the voter is entitled to vote, voting more than once, or voting supplemental paper ballots. Violations of KRS 117.236 relating to electioneering shall also be reported. If more space is required, attach additional sheets as necessary. If no violations are observed, so indicate.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**RECOMMENDATIONS FOR IMPROVING THE ELECTION PROCESS:** (Describe recommendations in your own words. If more space is required, attach additional sheets as necessary.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_
\_\_\_\_\_

Date Signed
Signature of Precinct Election Sheriff

Copies must be provided to:  
Grand Jury  
County Board of Elections  
Precinct Election Sheriff

SBE 53 (04/2024)

## ELECTION JUDGES DUTIES THROUGHOUT THE DAY

Election Judges have many tasks throughout the day while voting is taking place. As a voter checks-in and needs forms completed, instructions in voting, or help casting a ballot, Judges will assist them. However, Election Judges' primary job throughout the day is to pass out the correct ballots or set the machines for the proper style that is tied to the voter. This can be done in many ways depending on the number ballot-styles in a Polling location and the Clerk's Office Voting Plan. This will include handling Provisional Ballots as well.

1. Election Judges can sit by the Election Clerks. After a voter is checked-in, they can pull that voter's ballot from a pre-printed stack of ballots or use a Print on Demand (POD) to print the proper ballot-style for the voter at that moment.
2. The Election Clerks can provide the voter with a slip of paper with a ballot-style written on it or printed barcode that the voter can then take to the area where the Judges are passing out proper ballot-styles or setting Accessible or Ballot Marking Devices.

With the Election Judges being responsible for making sure that voters get the proper ballot, they must also track the number of ballots that they print and use throughout the day using a Ballot Accountability Statement. Your county may have a different version of this form. This form is merely provided for illustration purposes only. The State Board of Elections makes no assurance as to the validity or legal sufficiency of this document pursuant to 31 KAR 2:010.

### PRECINCT BALLOT ACCOUNTABILITY STATEMENT – SAMPLE BLANK

PRECINCT BALLOT ACCOUNTABILITY STATEMENT							
COUNTY	DATE OF ELECTION	PRECINCT NAME	PRECINCT CODE #				
	FACE 1	FACE 2	FACE 3	FACE 4	FACE 5	FACE 6	FACE 7
<b>QTY. PADS ISSUED</b>							
<b>STARTING NO.</b>							
<b>ENDING NO.</b> <small>(THE NUMBER OF THE NEXT BALLOT YOU WOULD HAVE GIVEN OUT)</small>							
<b>SPOILED BALLOT COUNT AREA</b> <small>EXAMPLE: 147 11</small>							
<b>TOTAL BALLOTS USED</b>							
REASON FOR DISCREPANCIES: _____							
NOTES: _____							
We, the undersigned, do hereby certify that the above information is accurate and complete.							
Precinct Clerk: _____				Precinct Sheriff: _____			
Precinct Judge: _____				Precinct Judge: _____			
County Clerk: _____							

Harp Enterprises, Inc. - Item #14 - Ballot Accountability Statements - Revised 05/2010

## VOTER NEEDS ASSISTANCE

### A VOTER WITH DISABILITIES HAS TWO (2) OPTIONS AT THE POLLING PLACE

1. The voter may vote without assistance on any voting machine of their choosing, including the accessible voting machine, and does not need to fill out SBE 31, Voter Assistance Form. The County Board of Elections will give you detailed instructions on operating the accessible voting machine; or
2. The voter may have assistance along with help completing and signing SBE 31, Voter Assistance Form, listing the specific reason for assistance (see below), and vote on any voting machine. The Election Judge will attest to the identity of the person that is assisting the voter. The person assisting will enter the voting booth or ballot completion area and operate the voting machine or complete the ballot for the voter as the voter directs.

### SBE 31 Voter Assistance Form

COMMONWEALTH OF KENTUCKY  
STATE BOARD OF ELECTIONS

VOTER ASSISTANCE FORM

NOTE: A voter requiring assistance may be assisted by the two precinct judges or a person of the voter's choice who is not an election officer, except that the voter's employer, an agent of that employer, or an officer or agent of the voter's union shall not assist a voter.

NAME OF VOTER	DATE OF BIRTH (MM/DD/YYYY)	
RESIDENTIAL ADDRESS		
<i>Complete Street Address</i>		<i>City</i> <i>Zip Code</i>
PRECINCT NAME OR PRECINCT NUMBER		
Check <input checked="" type="checkbox"/> one:		
<input type="checkbox"/>	Voter has been certified as requiring assistance on a permanent basis as indicated on precinct roster. The following oath must be signed <i>by the person assisting the voter</i> and be witnessed by the precinct clerk/officer.	
<input type="checkbox"/>	Voter is NOT certified as requiring assistance on a permanent basis. <i>Both</i> of the following oaths must be completed and signed by the voter, the person assisting the voter, and be witnessed by the precinct clerk/officer.	

---

**OATH FOR VOTER NOT CERTIFIED AS REQUIRING ASSISTANCE ON A PERMANENT BASIS**  
(Voter certified as requiring assistance on a permanent basis as indicated on precinct roster need not sign this oath section.)

I hereby state, under oath (or affirmation), that I am a qualified voter in the precinct indicated above, and that the reason I require assistance in voting is (check one):     Blindness     Physical disability     Inability to read English

\_\_\_\_\_  
Signature or "mark" of voter

\_\_\_\_\_  
Witness (two witnesses required if "mark" is used)

\_\_\_\_\_  
Witness (two witnesses required if "mark" is used)

---

**OATH FOR PERSON ASSISTING VOTER**  
**(THIS PORTION MUST BE COMPLETED BY THE PERSON ASSISTING THE VOTER BEFORE ANY VOTER CAN RECEIVE ASSISTANCE)**

I hereby state, under oath (or affirmation), that I will operate the voting machine in accordance with the directions of the voter requiring assistance. I further state that I am not the voter's employer, an agent of that employer, or an officer or agent of that voter's union.

Name of person assisting voter (PLEASE PRINT)	Signature of person assisting voter

---

**APPLICATION REQUEST FOR PERMANENT ASSISTANCE**

Voter who requires assistance on a permanent basis due to  Blindness (or)  Physical disability hereby applies for certification for permanent assistance.

---

**SECTION TO BE COMPLETED BY PRECINCT ELECTION OFFICER**

The parties hereto have subscribed and sworn (or affirmed) these Oaths before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Precinct Election Officer

KRS 116.165	Provides that "any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to penalties therefor."		
KRS 117.255			
KRS 117.365		WHITE:	Grand Jury
KRS 117.995		CANARY:	County Clerk
SBE 31 (04/2022)		PINK:	County Board of Elections

## **WHY A VOTER MAY HAVE ASSISTANCE**

1. Blindness (does not include those voters who forgot to wear their glasses or contacts);
2. Physical disability; or
3. Inability to read English.

## **WHO MAY ASSIST THE VOTER**

1. Any person of the voter's choice except:
  - the voter's employer or agent of that employer; or
  - an officer or agent of the voter's union.
2. A voter who does not bring someone to assist them at the polls or does not select someone at the polling place other than the election Judges, shall be assisted by two (2) election Judges (one from each party). One Judge shall, in the presence of the other Judge and the voter, operate the voting machine or complete the ballot as the voter directs.

## **APPLICATION FOR PERMANENT ASSISTANCE TO VOTE**

There is a portion of the SBE 31, Voter Assistance Form, wherein the voter may request that the County Board of Elections certify that the voter needs permanent assistance due to blindness or physical disability.

If the County Board of Elections approves the voter's request, the voter will have permanent certification relieving only the voter from the responsibility of signing the SBE 31, Voter Assistance Form. Thereafter, the EPB will indicate permanent assistance or to designate the voter as having permanent assistance.

Even if a voter is certified for permanent assistance, the person assisting the voter and the election Clerk must complete and sign their portion of the oath on the SBE 31 Voter Assistance Form (SEE PAGE 42).

Violations of the laws regarding voter assistance should be reported to the County Board of Elections immediately and be noted on the SBE 53, Precinct Election Sheriff's Post-Election Report (SEE PAGE 40).

Voters who have been certified for permanent assistance will have some indication on the check-in screen on the E-poll Book (reference the E-poll Book training materials for a sample of this designation). Regardless of if the voter is certified for permanent assistance, they have the option to vote without assistance.

The individual who assists the voter, including an individual who is a certified minor, must complete the portion of the SBE 31, Voter Assistance Form, declaring that they will operate the machine or assist with the ballot as directed by the voter. An election officer must also sign the Oath on the SBE 31, Voter Assistance Form.

## PROVISIONAL BALLOTS | (FEDERAL OFFICES ONLY)

### **Contact Your County Clerk or Board of Elections Before Issuing**

**Provisional Ballots can be issued during days when in-person absentee is taking place as well as on election day.**

A provisional ballot is a ballot cast in an election for FEDERAL OFFICES ONLY (President, United States Senator, and United States Representative) by an individual who resides in a precinct, but whose eligibility to vote is in question or is not determinable on Election Day.

Provisional ballots protect the rights of any potential voter. The “Instructions for Voting a Provisional Ballot Poster” is posted in a conspicuous place to provide information on how to cast a provisional ballot. See Election Day Posters and Notices Required to be Posted at Polling Location. You will have a minimum of 20 unvoted provisional ballots for each precinct.

It is very important to use the following forms when issuing a provisional ballot:

Provisional ballot and attached ballot stub.

- Provisional ballots are attached to consecutively numbered ballot stubs. Tear the provisional ballot away from the ballot stub at the perforation. Fill in the voter’s name and sign your initials on the ballot stub. If the provisional ballot is spoiled, you must also mark the “spoiled ballot” box on the provisional ballot stub. All voted provisional ballots are returned to the county clerk’s office at the end of Election Day.

Form SBE 35, Provisional Ballot Precinct Signature Roster (**ONLY USE IN EMERGENCY CASES**)

- **E-Poll Books are equipped to capture information and signatures of voters who require a Provisional Ballot so voters should use the E-Poll Book to sign for a Provisional.**
- Form SBE 35, Provisional Ballot Precinct Signature Roster, is used for any voter who is issued a provisional ballot. The voter must sign form SBE 35, Provisional Ballot Precinct Signature Roster. Affix your initials on form SBE 35, Provisional Ballot Precinct Signature Roster, and print the individual’s name, address, birth date, political party affiliation, and identification type.

(Sample SBE 35 on next page)

COMMONWEALTH OF KENTUCKY  
STATE BOARD OF ELECTIONS

**PROVISIONAL BALLOT PRECINCT SIGNATURE ROSTER**

ELECTION DATE \_\_\_\_\_ COUNTY NAME & CODE \_\_\_\_\_

VOTER'S NAME <small>(Please Print - Last, First &amp; Middle)</small>	ADDRESS	SIGNATURE	DATE OF BIRTH	PARTY	PROOF OF IDENTIFICATION TYPE	Clerk's Initials

**PROOF OF IDENTIFICATION TYPES:** Voter must fall into one of the following categories:  
 1) Voter ID (SBE 21), a valid or expired college, university, or professional technical or professional school located in the United States (KNOWN);  
 2) Voter ID (SBE 21), a valid or expired Kentucky Driver License (DL) or Kentucky State Police (KSP) Driver License (DL);  
 3) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 4) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 5) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 6) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 7) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 8) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 9) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 10) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 11) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 12) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 13) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 14) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 15) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 16) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 17) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 18) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 19) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 20) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 21) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 22) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 23) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 24) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 25) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 26) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 27) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 28) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 29) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 30) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 31) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 32) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 33) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 34) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 35) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 36) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 37) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 38) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 39) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 40) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 41) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 42) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 43) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
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 62) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 63) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 64) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 65) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 66) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 67) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 68) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 69) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 70) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 71) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 72) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 73) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 74) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 75) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 76) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 77) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 78) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 79) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 80) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 81) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 82) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 83) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 84) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 85) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 86) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 87) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 88) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 89) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 90) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 91) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 92) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 93) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 94) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 95) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 96) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 97) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 98) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 99) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);  
 100) Voter ID (SBE 21), a valid or expired Kentucky State Police (KSP) Driver License (DL);

### Form SBE 36, Provisional Ballot Information Sheet

- Form SBE 36, Provisional Ballot Information Sheet, is green in color and is handed to the voter to explain how to find out whether their voted provisional ballot was counted, and if not, the reason why the provisional vote was not counted.

#### Sample

**Any individual who casts a provisional ballot may**

- contact their county clerk's office or
- go to our website: [www.elect.ky.gov](http://www.elect.ky.gov)

**after the election to learn whether their vote was counted, and if the vote was not counted, the reason why.**

**County clerk contact information is posted in the precinct.**  
SBE 36 (09/04)

### Form SBE 37, Provisional Ballot Accountability Statement

- Form SBE 37, Provisional Ballot Accountability Statement is to be completed at the end of the Election Day. Form 37, Provisional Ballot Accountability Statement provides information to the county board of elections as to the number of provisional ballots issued, spoiled, and unused on Election Day and is signed by four (4) election officers (if possible, two (2) of each party).

COMMONWEALTH OF KENTUCKY  
STATE BOARD OF ELECTIONS

**PROVISIONAL BALLOT ACCOUNTABILITY STATEMENT**

County	Date of Election	Precinct Name	Precinct Code

<b>Choose Election Type:</b>	<b>Ballot Stub Numbers</b>	
Primary or General	<i>From</i>	<i>To</i>
Primary Election	<i>Democrat</i>	
	<i>Republican</i>	
General Election		

We, the duly appointed precinct officers of this precinct, do certify below the number of provisional ballots issued, used, and spoiled.

<b>Ballots</b>	<b>Choose Election Type:</b>		
	<b>Primary or General</b>		<b>General Election</b>
	<b>Primary Election</b>		
	<i>Democrat</i>	<i>Republican</i>	
Number of Ballots Issued to Precinct – a.			
Ballots Used (includes spoiled ballots) – b.			
Ballots Unused – c.			
Total – (b. + c.) – d.			
Number of Spoiled Ballots			

If row d. does not agree with row a., explain the difference here:

\_\_\_\_\_

\_\_\_\_\_

We, the undersigned, do hereby certify that the above information is accurate and complete.

Precinct Clerk \_\_\_\_\_

Precinct Sheriff \_\_\_\_\_

Precinct Judge \_\_\_\_\_

Precinct Judge \_\_\_\_\_

SBE 37 (12/05)



**Before issuing a provisional ballot**, the individual must be informed of the option to request a hearing before the county board of elections to dispute eligibility. If the individual goes before the county board of elections for a hearing and the decision is to deny the individual the ability to vote, the individual may request a hearing before a Circuit Judge. If the individual is turned down by the Circuit Judge, the individual may return to the polling location in which they live, confirm by affidavit that they live in a specific precinct, and vote a provisional ballot. If the individual chooses to vote a provisional ballot at a polling location, then the individual is not eligible to vote in any other manner.

All provisional ballots are reviewed by the county board of elections to determine if the provisional ballots will be counted or not. The voter must sign the "Provisional Ballot Affirmation" located on form SBE 38, Provisional Ballot Outer Envelope, stating that they are a resident of a specific precinct and an eligible voter.

Only an individual who meets **one or more of the following five (5) categories** may receive a provisional ballot:

- 1. An individual whose name does not appear on the EPB and whose registration status cannot be determined by the election officers.**
  - Call the county clerk's office to confirm the individual's registration in your county. If you are unable to confirm the individual's registration in your county and the individual chooses not to have a hearing before the county board of elections, a provisional ballot should be issued to the individual.
  
- 2. An individual whose name does not appear on the EPB and who has been verified ineligible to vote.**
  - Call the county clerk's office to confirm the individual's registration in your county. If you confirm the individual is not registered in your county, a provisional ballot should be issued to the individual if the individual chooses not to have a hearing before the county board of elections.
  
- 3. An individual who does not produce an acceptable source of identification.**
  - An individual may leave the polling location to get identification or may request a provisional ballot. The individual's personal acquaintance with one of the election officers is an acceptable form of identification, and this individual would vote the entire ballot on the voting machine (electronic or paper).
  
- 4. An individual who has been challenged by four (4) election officers (two (2) of each party).**
  - If four (4) election officers (two (2) of each party) have personal knowledge that an individual is not qualified to vote, the individual has the option of requesting a hearing before the county board of elections to dispute the challenge or vote a provisional ballot.
  - If fewer than all four (4) election officers do not have personal knowledge of why this individual is not qualified to vote, the individual must complete form SBE 32, Oath of Voter, show identification, and sign the EPB or if necessary, form SBE 25, Supplemental Precinct Roster. **The individual is then permitted to vote a regular ballot.**

**5. An individual who is voting as a result of a federal or state court order or any order under state law in effect ten (10) days prior to Election Day which extends the polling hours.**

The voter must show identification or be personally known by an election officer (must sign in on the E-Poll Book as Provisional Voter or the form SBE 35, Provisional Ballot Precinct Signature Roster, if an emergency occurs. Do not contact the county clerk to confirm voter registration if the individual is being issued a provisional ballot because of no acceptable source of identification; a voter that can't proof their identity by any means listed on (PAGE 30) is not eligible to vote any ballot.

Give the voter a pen and private area to mark the provisional ballot. Instruct the voter to place the voted provisional ballot in form SBE 39, Provisional Ballot Inner Envelope, marked "PROVISIONAL BALLOT" and seal the envelope. The voter is to place the sealed form SBE 39, Provisional Ballot Inner Envelope, marked "PROVISIONAL BALLOT" into the completed form SBE 38, Provisional Ballot Outer Envelope, and seal the envelope.

A spoiled provisional ballot is a provisional ballot that contains an error made by the marking of the voter. If the voter makes a mistake marking the provisional ballot, the voter may request a second provisional ballot from you. The spoiled provisional ballot should be placed in form SBE 39, Provisional Ballot Inner Envelope, marked "PROVISIONAL BALLOT" by the voter, sealed by the voter, and returned to you before a second provisional ballot is issued to the voter. You will write "Spoiled Ballot" on the outside of form SBE 39, Provisional Ballot Inner Envelope, AND place a mark in the "spoiled ballot" box on the provisional ballot stub. All sealed spoiled provisional ballots must be placed in the same container provided with Election Day supplies to be returned to the county clerk's office at the end of Election Day. A voter can spoil up to two (2) provisional ballots and be issued no more than a total of three (3) provisional ballots.

Voted provisional ballots will be returned by the voter in the sealed envelopes to you. You will place the voted provisional ballots in the container provided with Election Day supplies to be returned to the county clerk's office at the end of Election Day.

You must give the voter form SBE 36, Provisional Ballot Information Sheet, which explains the individual's right to contact his/her county clerk to learn if the provisional ballot was counted, and if not counted, the reason why.

You are accountable for every provisional ballot. At the end of Election Day, four (4) election officers must fill out and sign form SBE 37, Provisional Ballot Accountability Statement, as follows:

**Choose Election Type – Primary Election (Voters can ONLY cast a Provisional Ballot for the political party they were registered as of December 31, 2023.)**

Record the ballot stub numbers (from beginning to end) of the Provisional Ballots given to you by the county clerk. Complete fields a-d as follows for Republican and Democratic Ballots:

- a. Number of Ballots Issued to Polling Location – Record the number of provisional ballots issued.
- b. Ballots Used – Record the number of provisional ballots used Including spoiled ballots.
- c. Ballots Unused – Record the number of provisional ballots not issued on Election Day or the in-person absentee ballot process.
- d. Total – Add lines b and c together, which should equal the number appearing in line a. If the total does not, provide an explanation in the area supplied on the form.

After all provisional ballots are returned to the county clerk's office at the end of Election Day, the county board of elections will determine if they are eligible to vote in the election, and if eligible, the provisional ballot will be counted.

### **CLOSING OUT THE ELECTION**

At 6:00PM, the Election Sheriff looks at his official timepiece and determines it is time to close the polls on Election Night. If there is a line at the polling location, the Election Sheriff places themselves at the back of the line and then allows everyone in front of them to vote before the machines are closed.

#### **CLOSING SECURITY PROTOCOLS**

WHEN TO CLOSE THE POLLS, RECORDING THE RESULTS, AND SECURING THE EQUIPMENT AFTER CLOSING THE POLLS

**After all voters who were in line by 6:00 p.m. have cast their ballots, it is time for the Election Officers to close the voting devices and tabulate the votes.**

#### **WHEN CLOSING THE POLLS, YOU SHOULD FOLLOW THE PROCESS BELOW:**

- You should validate the number of all Voting Machines and Eslates or Ballot Marking Devices and secure them in a transport case for return to the local election office.
- The voting devices should be secured by using the numbered closing seals.
- You should complete and sign the proper paperwork to be returned to the County Clerk, County Board of Elections, and grand jury.
- The public and protective counter numbers should be recorded on the return envelopes along with device serial number and seal numbers on the Verification Forms.
- The printout totals for each voting device used should be recorded on the proper paperwork, posted at the polling location, and then returned to the County Clerk and County Board of Elections. Remember, if you have any candidates who withdrew from a race, you should mark out the totals at the polling location before you place on the door.
- The Election Judges should return the devices and materials to the County Clerk and County Board of Elections, making certain to properly seal all devices before transport begins. Do not put these materials inside the voting machine. The voting machine is to be locked for thirty (30) days after the election and can only be opened by court order.
- The County Clerk should verify receipt of all devices and confirm that all devices are properly sealed.

**All voting machines must be under video surveillance for 30 days after the Election. The County Board of Elections, the Clerk's Office, and the local County Attorney will decide how to accommodate this. Ask during training for specific instructions on how to make sure that this occurs.**

**AT THE END OF THE DAY, ELECTION OFFICERS SHOULD COMPARE THE FOLLOWING NUMBERS:**

- The number of votes recorded on all voting devices.  
vs.
- The number of signatures on the EPBs and on any SBE 25, Supplement Precinct Signature Rosters (**Again, these should not be used as the E-poll Books are to be used to check-in all voters**).

**SUMMARY SIGNATURE PAGE – SAMPLE (This is not an SBE set form) just a suggestion for tracking signatures vs. machine vote count) You should be aware of discrepancies.**

**See Next Page For Location Signature Count**

Summary Signature Count Verification Sheet	
Precinct or Voter Center Name:	_____
EpollBook Count for Location:	_____
This is found on the lower right-hand side of the EPB. It is the bottom number (the number just above it is the signature count of the individual EPB). Make sure that all EPBs in a location are connected; consult your EPB manual for connection instructions.	
Any Signatures on the Supplemental Roster:	_____
Total Voters Signed in:	_____
Total Number of Votes on All Machines in Location:	_____
<b>These numbers should match.</b>	
Reasons for Discrepancies:	_____
	_____
	_____

Consult your E-poll Book Training Guide to find the correct location of total check-ins for that location. Ask for specifics during your training.

**NOTE:** At the end of Election Night, after the process of closing the polls is complete, the voting machines are to be locked with seals intact. Election Officers should secure the voting equipment in the manner described during the Election Officers Training and return any items that the Clerk has instructed to be brought back to the office.

### **DUTIES OF ELECTION SHERIFF DURING CLOSING**

After the Sheriff finishes making sure that all eligible voters have checked-in, the Election Sheriff will begin collecting all ADA materials and taking down posters along with the other signage. All of this should be stored neatly where it was found on Election Morning. In addition, Sheriffs should help begin taking down booths and stacking them, so that they are ready for pickup. In addition, all Election Officers will have paperwork to sign before leaving on Election night. The Election Sheriff should complete their SBE 53 Sheriff's Report (SEE PAGE 40) and return it with the other Election Night Forms that are sent on to the Clerk's Office (that evening, if possible, if not, it must be returned to the Clerk's Office within 3 days after the Election).

### **DUTIES OF ELECTION CLERK(S) DURING CLOSING**

Once the last voter has cast their ballot, the Election Clerk(s) will do one last verification of the number of check-ins so they can be compared to the number of votes cast. If there is any discrepancy that should be reported on the Election Sheriff's Report (SEE PAGE 40). The Election Clerk should make sure one last time that the E-poll Book shows that is connected; if there are any problems with connectivity, make sure that the Clerk's Office knows about the issue immediately. After completing these tasks, the Election Clerk should place the E-poll Book and all of its components back into the case from which it came, in addition to gathering up any supplies that were used during the day. Finally, the Clerks should complete Election Day documents, help the others takedown, and secure Election Day equipment and supplies.

### **DUTIES OF ELECTION JUDGES DURING CLOSING**

After all voters have cast their ballots, the Election Judges will begin to closedown voting machines and print out results. REMEMBER TO USE INSTRUCTION BOOKLETS PROVIDED BY THE VENDORS TO DO THIS; ONE READS WHILE THE OTHER PERFORMS THE TASK - this is the best way to prevent issues. Once the machines print the results, they will post a copy of the results on the window and have at least four (4) Election Officers sign the remaining copies (ideally, 2 Democrats and 2 Republicans – if you do not have 2 Democrats and 2 Republicans, maintain party parity with signers, i.e. 2 Republicans, 1 Democrat, 1 Independent). The Judges will secure and make sure again that all the voting equipment is sealed and ready to be returned to the County. Two Judges (from differing political affiliations) will be tasked with returning the following to the Clerk's Office at the end of the evening:

1. Any keys to the voting machines and/or the building;
2. The storage devices from the Scanners and/or Eslate Voting Machines — VERY IMPORTANT --THIS IS HOW THE UNOFFICIAL RESULTS WILL BE PASSED ALONG TO THE PUBLIC;
3. Any forms that voters completed throughout the Day (Voters Assistance, Oath of Voters, etc...);
4. The E-poll Books should be returned if their return is included in the Clerk's Election Day Plan;
5. SBE 53 Sheriff's Report- if completed;
6. Any other items that the Clerk may deem necessary to be return to the office that evening.

## **FINAL ITEMS**

### **WHO MAY OBSERVE THE VOTE COUNT IN THE POLLING LOCATION**

Once the polls close, the following persons are permitted to witness the vote count in each polling locations, per KRS 117.275(9):

1. In primaries, each candidate or group of candidates may designate to the County Board of Elections a representative to witness and check the vote count.
2. In any election, members of the news media authorized by the County Board of Elections may witness the vote count.

### **ELECTIONS EMERGENCY CONTINGENCY PLAN**

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The Governor may reschedule an election due to a state of emergency. The election must be held within thirty-five (35) days from the date of the suspended or delayed election.

### **PROCEDURES WHEN AN ELECTION IS RESCHEDULED ON ELECTION DAY**

#### **Suspend General Voting**

The County Board of Elections must instruct the Election Officers to:

- Secure all voting machines until the rescheduled election. The Election Officers must ensure all seals on the voting machines are intact prior to storage in a secure location;
- Not close out or tally the votes;
- Record the public counter number on the form furnished by the County Board of Elections and signed by all present Election Officers; and
- Return all election materials to the County Board of Elections.

#### **Secure Voting Materials**

All election materials must be secured in a locked storage container. These election materials include:

- Paper ballots.
- E-poll Books.
- EPBs;
- If used, Form SBE 25, Supplemental Precinct Signature Rosters;
- Form SBE 35, Provisional Ballot Precinct Signature Roster; and
- All related materials

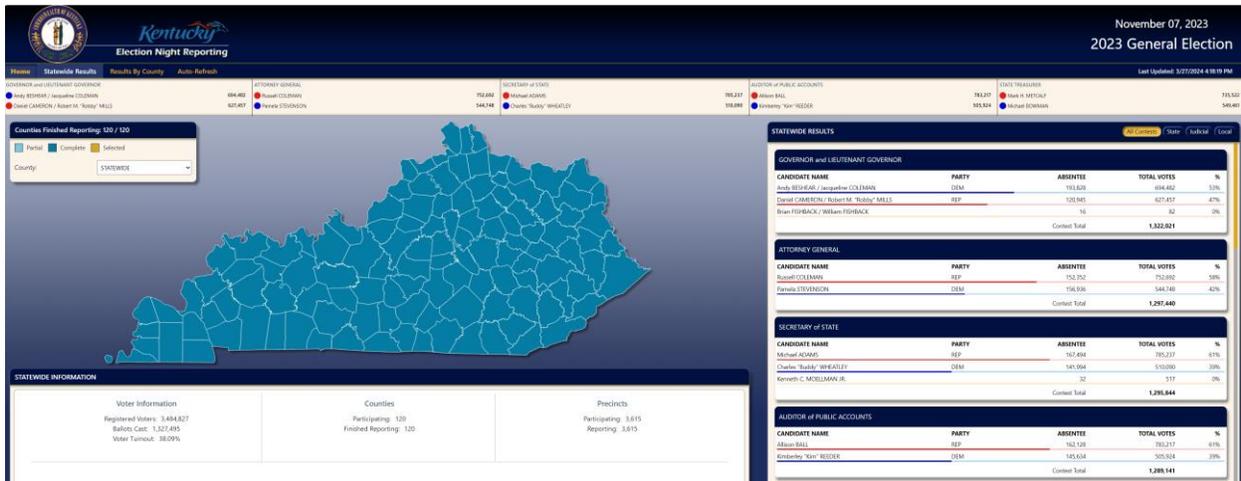
The County Clerk will instruct Election Officers about the emergency procedures specific to your county and how to conduct a rescheduled election.

# KENTUCKY UNOFFICIAL ELECTION RESULTS



On Election Evening, the public will be able to witness the Unofficial Election Night Results at [www.elect.ky.gov](http://www.elect.ky.gov). Remember, these results are **unofficial**. The final “official” results are to be sent to the Secretary of State by the Friday following the Election by 12:00PM EST.

For all Voter Related Services--- Please visit the State Board of Elections “One Stop Shop” at [www.GoVote.KY.gov](http://www.GoVote.KY.gov).



## DISABILITY AWARENESS GUIDANCE

Provided by: Office of the ADA Coordinator & Kentucky Protection and Advocacy (Updated 3/27/24)

For further information, please contact:

**KY Office of the ADA Coordinator (or)**

**502-564-8000**

**KY Protection and Advocacy**

**502-564-2967 | 1-800-372-2988**

The following guidance is provided by the Kentucky Office of the ADA Coordinator and Kentucky Protection and Advocacy. The ADA (American Disability Act) requires states to ensure that all aspects of the voter registration process are accessible to persons with disabilities. The ADA also prohibits a state from categorically disqualifying all individuals who have intellectual or mental health disabilities from registering to vote or from voting because of their disability.

Individuals with disabilities are people who may do things differently than a person with no disability. While some disabilities are readily apparent and visible to others, most disabilities are not visible. Because of this, use of the accessible voting machine should be offered to every voter, not just those who you believe may have a disability.

### **Polling Place Accessibility**

The ADA requires that public entities ensure that people with disabilities can access and use their voting facilities. Assess whether the location already has basic accessibility features needed by most voters with disabilities or can be made accessible on election day using temporary solutions to remove barriers.

### **Common Barriers and Potential Temporary Solutions**

<b>Barrier Potential</b>	<b>Temporary Solution</b>
Parking is provided at a polling place but there are no accessible parking spaces.	Create temporary accessible parking by using traffic cones and portable signs to mark accessible spaces and access aisles.

## Common Barriers and Potential Temporary Solutions

Barrier Potential	Temporary Solution
Sidewalks lack a curb ramp meaning that a person using a wheelchair cannot get to the polling place to vote.	Install a ramp at least 36 inches wide, with a slope no more than 1:12, to provide temporary access over curbs or onto sidewalks.
A hallway contains drinking fountains, coat racks, fire extinguishers, or other protruding objects that may pose hazards to voters with vision disabilities.	Place traffic cones or other barriers that can be detected with a cane, such as planters or portable railings, at or under protruding objects.
Doorknobs or handles requires tight grasping, pinching, or twisting.	Install temporary levers or other adapters that do not require tight grasping, pinching, or twisting. Alternatively, a temporary doorbell or buzzer system may be used to alert a poll worker to open the door or doors for the voter.
Door openings are less than 32 inches wide.	If one door of a double-leaf door is not wide enough, propping open the second door may provide enough clearance.
Voting area is crowded with little space at the check-in tables and voting machines, making it difficult for voters with mobility disabilities to move through the voting area.	Arrange check-in tables and voting stations to provide an accessible path for voters to go from the check-in table to the voting station and out again.

If temporary solutions would not work, and permanent changes cannot be made to fix barriers, then the election official must identify an alternative, accessible polling place or vote center.

## General Information

- Always ask if a voter with a disability needs assistance before you help.
  - Since each person and situation is unique, the best advice is to ask the voter with a disability:
    - If they would like assistance, and
    - The best way you can assist them.
  - It is the person's right to choose whether to accept assistance.
- Speak directly to the voter and not "about" the voter to a person who may have accompanied them to the polling place.
- Do not speak louder to a voter who has a visible disability. Just because someone may have a physical disability, please do not assume there are other disabilities as well.
- Be aware about your physical contact with a voter. They may have:
  - Heightened sensitivity to physical contact, or
  - Balance issues that may be thrown off even with the most well-intended contact.
- The voter with a disability is a person first. When you need to refer to a voter with a disability, use Person First Language. Example: Voter with a learning disability.
- Have a large pen on hand for those individuals who may have difficulty gripping.
- If needed, you may use writing materials like a dry erase board or pen/paper to assist with communication.
- If possible, do not place the voter registration table directly in front of a window or light source.
- Allow a voter with a disability to sit down instead of standing in a long line to vote.
- Allow a voter with a disability to bring a service animal into the polling place even if the location has a no-pets policy.
- Allow a voter with a disability who needs assistance to have their companion with them in the voting booth.
- Modify other voting policies, practices, or procedures when such modifications are necessary to avoid discrimination based on a voter's disability.

## Sensitive Use of Language

- Do not refer to the disability unless it is relevant.
- Do not sensationalize a disability by saying "victim of" or "afflicted with," etc.
- Avoid emotional descriptions:
  - "Uses a wheelchair" not "confined to a wheelchair;"
  - "Walks with crutches" not "is crippled."
- People with disabilities use words such as "see," "hear," "run" and "walk."
- When speaking with a person with a speech impairment and you don't understand, feel free to ask them to repeat or rephrase the statement.
- Remember: American Sign Language ("ASL") is a language itself. English is considered as a second language for someone whose primary language is ASL.
- Remember: speech impairment doesn't always mean intellectual disability.

## Mobility Disabilities

- People who use crutches, canes or walkers should never be grabbed. They use their arms for balance.
- Do not hang or lean on the wheelchair. It is an extension of the user's personal space.
- Get on a person's eye level by sitting down when having a discussion.

## Deaf and Hard of Hearing

- People with varying levels of hearing loss communicate via sign language, ASL (or another type of sign language), or spoken English.
- Hearing aids may be used. Remember that not all hearing aids allow individuals to hear speech; they may be used to hear loud sounds.
- If needed, a person may use a **qualified interpreter**. *Qualified interpreter* means an interpreter who, via a video remote interpreting (VRI) service or an on-site appearance, is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators.
- When speaking with a person who uses an interpreter, maintain eye contact with the individual, not the interpreter.
- Get the voter's attention by tapping on shoulder or arm.
- Keep hands or objects away from the mouth.
- Do not exaggerate gestures or mouth movements.
- Use short sentences.
- Do not assume ability to read lips; the average accuracy of lip reading is about 30%.

## Visual Impairment

- People have varying levels of visual functioning. Not everyone with visual impairments is considered "blind." Do not assume level of functioning.
- Not all people with visual impairments read Braille. Some may use large print or audio versions of materials. Offer him/her the use of audio ballot.
- Announce when you enter or leave a room.
- Do not place items on the floor that may impede the person's movement about the room.
- Guiding a person who is visually impaired is best accomplished by offering your arm or shoulder.
- When walking with a voter with a visual impairment to a chair:
  1. Walk to the side of the chair
  2. Take his/her hand from your arm and place it on the back of the chair.
- Do not pat or play with a guide dog when he/she is working; always ask the owner first.
- Walk on the side opposite the guide dog.
- Read written information if asked.

## **Learning Disabilities**

- Individuals have average or above-average intelligence.
- Learning disabilities may occur in:  
spoken language | written language | arithmetic | reasoning | organizational skills
- People with dyslexia may need verbal instruction.
- Ask how the individual wants to receive information.
- Have headphones for audio ballots readily available for the voter.

## **Psychological Disability**

- Making quick decisions may be difficult; allow time for a response.
- Do not assume that the person is dangerous based on diagnosis.
- Do not assume that accounts of events are delusions.
- People may have different reactions to questions/situations than what you would expect (example: may need extra time to process information).

## **Intellectual Disability**

- The term “mentally retarded” is no longer acceptable.
- Speak in clear, short sentences.
- Do not use baby talk.
- Making quick decisions may be difficult; allow time for a response.
- People with intellectual disabilities rely on familiar situations. A change in their routine may require additional time and patience.

## **Brain Injury**

- People whose brains were injured in accidents, strokes, medication interactions, substance abuse, during military service, etc.
- People may have visible disability (mobility, vision, etc.) that resulted from the injury, but not always.
- Speech and decision-making may be affected; allow time for a response.
- People with brain injuries rely on familiar situations. A change in their routine may require additional time and patience.
- Memory (short-term or long-term) may be affected. You may need to repeat yourself.
- Depending on where the brain was injured, people may display more emotions (crying, speak angry words, etc.).

## **Service Animals**

- Under the ADA Amendment Act, a service animal is defined as a:
  - Dog (always) and a Miniature horse (on a case-by-case basis)
- No other animal is recognized by the ADA as a service animal.
- Under the ADA, a service animal is individually trained to perform tasks that the individual cannot perform for themselves.

Examples:

- Guiding people who are blind.
- Alerting people who are deaf.
- Alerting people who have seizures.
- Performing other tasks
- **A service animal must be under the control of its handler. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual’s disability prevents using these devices or these devices interfere with the service animal’s safe, effective performance of tasks.** In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- Providing “emotional support” or comfort is not a task. Animals that only do this are not service animals.
- A service animal is permitted in all areas of a facility open to the public, including but not limited to:

restaurants	hotels	taxis	buses	shuttles
grocery stores	hospital	theaters	jail	zoos
medical offices	health clubs	parks	stores	polling places

### **Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals**

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions:
  1. Is the dog a service animal required because of a disability?
  2. What work or task has the dog been trained to perform?
- Staff cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals.
- A person with a disability cannot be asked to remove his service animal from the premises unless:
  1. The dog is out of control and the handler does not take effective action to control it or
  2. The dog is not housebroken.

- When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain services without the animal's presence.

## Election Laws and Penalties

The following is a summary of election law violations as they relate to the County Clerk, the County Board of Elections, the Election Officers, and the public.

These statutes are meant to reinforce the importance of maintaining security of the vote and integrity in the election process.

### \*RELATING TO COUNTY CLERKS, STAFF, AND ALL ELECTION OFFICERS

- **KRS.119.115(3)(f):** Any election official, or other person entrusted with the custody or control of any voting machine, voting equipment, or voting system **shall be guilty of a Class D felony** if he or she knowingly and intentionally: Directly connects or attempts to directly connect a voting machine, voting equipment, or voting system that tabulates or aggregates votes to a public network, including the Internet, at any time.

### **Relating to County Clerks**

- **KRS 117.995(2):** Any County Clerk or member of the County Board of Elections who knowingly and willfully violates any of the provisions of this chapter, including furnishing applications for absentee ballots, applications for federal provisional absentee ballots, and mail-in absentee ballots to persons other than those specified by the provisions of this chapter, and failure to type the name of the voter on the application form as required by the provisions of this chapter, shall be guilty of a **Class D felony**.
- **KRS 119.015:** any County Clerk or deputy County Clerk who falsely or fraudulently registers the name of any person, or permits any person to register knowing that the person is not entitled to register, or who fails or refuses to deliver copies of the registration records to a person entitled thereto, shall be guilty of a **Class D felony**.
- **KRS 119.076:** any County Clerk who willfully and knowingly refuses or fails to have the name of any candidate printed upon the official ballot in the manner provided by law shall be guilty of a **Class D felony**.
- **KRS 119.115(3):** Any election official, or other person entrusted with the custody or control of any voting machine, voting equipment, or voting system shall be guilty of a **Class D felony** if he or she knowingly and intentionally: (a) Causes or permits any voting

machine, voting equipment, or voting system to fail to correctly register or count votes cast, tampers with or disarranges such voting machine, voting equipment, or voting system in any way; (b) Unlawfully opens a voting machine, voting equipment, or voting system; (c) Prevents or attempts to prevent the correct operation of a voting machine, voting equipment, or voting system; (d) Causes a voting machine, voting equipment, or voting system to be used or consents to its being used for any election with knowledge of the fact that the voting machine, voting equipment, or voting system is not in order, or not perfectly set and adjusted to correctly register all votes cast; (e) Removes, changes, or mutilates any ballot; or (f) Directly connects or attempts to directly connect a voting machine, voting equipment, or voting system that tabulates or aggregates votes to a public network, including the Internet, at any time.

- **KRS 119.195(7):** any County Clerk who knowingly and willfully opens any ballot box and removes any official ballot therefrom, or removes, destroys, or tampers with a ballot box and official ballots left in his care and custody, or permits any other person to do so, during the period the boxes are required to remain locked in his office, shall be guilty of a **Class D felony**.

#### **Relating to the County Board of Elections**

- **KRS 117.187(2):** the County Board of Elections shall provide special training before each primary and regular election, and any special election held during a year in which no elections are scheduled, to all Election Officers, alternates, and certified challengers regarding their duties and the penalties for failure to perform. Election Officers, including alternates, and certified challengers shall attend the training session, unless excused by the County Board of Elections for reason of illness or other emergency. Any person who fails to attend a training session without being excused shall be prohibited from serving as an election officer or challenger for a period of five (5) years. The training provided by the County Board of Elections shall include but not be limited to the following:
  - (a) Operation of the voting machine or ballot cards.
  - (b) Posting of necessary signs and notices at the polling place.
  - (c) Voter assistance.
  - (d) Maintaining precinct rosters.
  - (e) Confirmation of a voter's identity.
  - (f) Challenge of a voter.
  - (g) Completing changes of address or name at the polling place.
  - (h) Qualifications for voting in a primary election.
  - (i) Electioneering and exit polling.
  - (j) Write-in voting procedures.
  - (k) Persons who may be in the voting room.
  - (l) Election violations and penalties.
  - (m) Assistance which may be provided by law enforcement officers.

- (n) Election reports.
- (o) Disability awareness.
- (p) Provisional voting process.
- (q) Election emergency contingency plan; and
- (r) Elections and voting equipment security plan.
- (s) Proof of identification; and
- (t) Information concerning the secure online portal to request a mail-in absentee ballot.

- **KRS 117.995(8):** the members of a County Board of Elections that fail to provide the training to Election Officers required by **KRS 117.187(2)** shall be subject to removal by the State Board of Elections.
- **KRS 119.225:** any member of a County Board of Elections who refuses to permit an inspector designated under **KRS 117.275** and **117.315** to exercise free and full action in witnessing the count of the ballots or interferes with the right of such an inspector to have a free and full opportunity to witness the count of the ballots, shall be guilty of a **Class A misdemeanor**.
- **KRS 119.245:** any member of the State Board of Elections or of a County Board of Elections who willfully and knowingly violates any provision of the statutes relating to his duties, or fails to execute faithfully any of the duties imposed upon him by law, for which no other penalty is provided, shall be guilty of a **Class B misdemeanor**.
- **KRS 119.255:** any person who, by threat of violence or in any other manner, intimidates or attempts to intimidate the Election Officers, the State Board of Elections or a County Board of Elections in the performance of their duty and any persons who conspire together and go forth armed for the purpose of intimidating said officers, shall be guilty of a **Class D felony**.
- **KRS 119.265:** any public officer who willfully neglects to perform a duty imposed upon him under the election laws, for which no other penalty is provided, or who willfully performs such duty in a way that hinders the objects of the election laws, shall be guilty of a **Class B misdemeanor**.
- **KRS 119.307:** the County Board of Elections shall present to the grand jury next convening subsequent to each election the names of those election officials who failed to appear and serve at the election and who had not been properly excused. Any such person may be subpoenaed, and inquiry made of his absence, and if no good cause be shown, he shall be subject to prosecution.

#### **Relating to Election Officers**

- **KRS 117.995** in part provides the following violations of Election Officers:

- (1) Any person appointed to serve as an election officer but who shall knowingly and willfully fail to serve and who is not excused by the County Board of Elections for the reasons specified in this chapter shall be guilty of a violation and shall be ineligible to serve as an election officer for a period of five (5) years.
  - (3) Any officer who willfully fails to prepare or furnish ballots, federal provisional ballots, federal provisional absentee ballots, or absentee ballots or fails to allow a qualified voter to cast his or her vote using voting equipment as required of the voter by this chapter shall be guilty of a **Class A misdemeanor**.
  - (4) Any election officer who knowingly and willfully violates any of the provisions of this chapter, including failure to enforce the prohibition against electioneering established by **KRS 117.235**, shall be guilty of a **Class A misdemeanor** for the first offense and a **Class D felony** for each subsequent offense.
- **KRS 119.145:** any election officer who refuses to permit any challenger of any political party having a ticket to be voted for at an election, who has been duly appointed and presents a duly attested certificate of appointment, to perform his duties as challenger, shall be fined not less than fifty dollars (\$50) nor more than five hundred dollars (\$500).
  - **KRS 119.175:**
    - (1) Except as provided in subsection (2) of this section, any officer of election who receives, assents to receive or records a vote at an election at a time or place known by him not to be the time and place lawfully appointed, or who knowingly receives the vote of any person other than a qualified voter, or refuses to receive the vote of a qualified voter, shall, for each offense, be fined not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), and shall forfeit any office he holds and be disqualified from ever holding any office.
    - (2) Any Judge of a primary election who knowingly receives a vote of an elector who is not qualified to vote in the primary election under **KRS 116.055** shall be fined one hundred dollars (\$100) for each offense.
  - **KRS 119.185:** any person who willfully disobeys any lawful command of an election officer, given the execution of his duty as such at an election, shall be fined not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500).
  - **KRS 119.195 Tampering with Ballot Box:**
    - (4) Any election officer, or other person entrusted with the custody or control of any official ballot, either before or after it has been voted, who in any way marks, mutilates, or defaces any official ballot or places any distinguishing mark thereon, for the purpose of vitiating the official ballot, shall be guilty of a **Class C felony**.
    - (6) Any election officer who mutilates or tampers with any of the seals or destroys or removes any official ballots required to be preserved, shall be guilty of a **Class D felony**.

- **KRS 119.305:** Election Officers shall give information of all infractions of the election laws to the grand jury, Commonwealth's Attorney, Attorney General and the Registry of Election Finance. The Election Officers shall cooperate in any investigation or prosecution of election law violations. When there is reason to fear that an offender will escape out of the county before indictment, any election officer may procure his immediate apprehension.

### **Relating To Election Day**

- **KRS 117.0865:** any person who aids another in completing an absentee ballot or federal provisional absentee ballot shall not solicit or encourage that person to vote for or against any candidate, party, or issue. Any person who violates this section shall be guilty of a **Class D felony**.
  
- **KRS 117.995** sets out the following violations relating to Election Day:
  - (5) Any person who signs a name other than his or her own on an application for an absentee ballot or on the verification form for the ballot or on an emergency absentee ballot affidavit, or any person who votes an absentee ballot other than the one issued in his or her name, or any person who applies for the ballot for the use of anyone other than himself or herself or the person designated by the provisions of this chapter, or any person who makes a false statement on an application for an absentee ballot or on an emergency absentee ballot affidavit shall be guilty of a **Class D felony**.
  - (6) Any person who violates any provision of **KRS 117.235 or 117.236** related to prohibited activities during absentee voting or on election day, after he or she has been duly notified of the provisions by any election officer, County Clerk, deputy County Clerk, or other law enforcement official, shall, for each offense, be guilty of a **Class A misdemeanor**.
  - (7) Any person who knowingly and willfully prepares or assists in the preparation of an inaccurate or incomplete voter assistance form or fails to complete a voter assistance form when required shall be guilty of a **Class A misdemeanor** for the first offense and a **Class D felony** for each subsequent offense; however, if a voter has been permanently certified as requiring voting assistance, there shall be no offense for the failure of the voter to complete the form.
  
- **KRS 119.095:** any printer of ballots, or person employed in printing ballots, who prints or permits to be printed any ballot in any other form than the one prescribed by law, or with any name or device placed, spelled or arranged thereon other than as authorized and directed by the County Clerk, or who gives or delivers, or knowingly permits to be taken, any ballot by any person other than the County Clerk for whom the ballots are being printed, shall be guilty of a **Class C felony**.

- **KRS 119.105 Removal or destruction of election supplies or booths:**
  - (1) Any person who steals or willfully destroys any of the election supplies required to be furnished by the County Clerk shall be fined not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), and imprisoned in the county jail for not less than one (1) month nor more than six (6) months.
  - (2) Any person who, during an election, knowingly and willfully removes or defaces the cards printed for the instruction of the voters, or destroys or removes any booth or other convenience provided for the election, or induces or attempts to induce any person to commit any such act, shall be imprisoned in the county jail for not less than six (6) months nor more than one (1) year.
  
- **KRS 119.115 Tampering with voting machine or election supplies:**
  - (1) Any unauthorized person found in possession of any key to a voting machine to be used or being used in any primary, general, or special election shall be guilty of a **Class A misdemeanor**.
  - (2) Any person who, during or before any primary, general, or special election, willfully tampers with or attempts to tamper with, disarrange, deface, or impair in any manner whatsoever, injures, or destroys any ballot label, or destroys any such voting machine while in use at an election or at any other time, or who shall, after such machine is locked and sealed in order to preserve the record of the vote, tamper with or attempt to tamper with the record of the vote, or who aids or abets with intent to destroy or change the record of the vote shall be guilty of a **Class D felony**.
  
- **KRS 119.125:** any Sheriff who willfully fails to cause an election to be held, as required by law, shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Any Sheriff who willfully fails to perform any other duty concerning an election, for which there is no penalty specifically prescribed, shall be fined not less than twenty dollars (\$20) nor more than two hundred dollars (\$200).
  
- **KRS 119.155 Interfering with election:**
  - (1) Any person who unlawfully prevents or attempts to prevent any voter from casting his ballot or intimidates or attempts to intimidate any voter so as to prevent him from casting his ballot, or who unlawfully interferes with the Election Officers in the discharge of their duties, shall be guilty of a **Class D felony**.
  - (2) Any person who, by himself or in aid of others, forcibly breaks up or prevents, or attempts to break up or prevent, or obstructs or attempts to obstruct, the lawful holding of an election, shall be guilty of a **Class A misdemeanor**.
  
- **KRS 119.165 False personation of a voter:**
  - (1) Any person who falsely personates a registered voter, and receives and casts a ballot by means of such personation, shall be guilty of a **Class D felony**. An attempt at such personation shall constitute a **Class A misdemeanor**.

- (2) Any person who, by means other than falsely personating a registered voter, votes at an election in this state when he is a resident of another state or country, or votes more than once at an election, or votes by use of the naturalization papers of another person, shall be guilty of a **Class D felony**. Any person who knowingly votes or attempts to vote in a precinct other than the one in which he resides shall be guilty of a **Class A misdemeanor**, unless by voting in a precinct in which he does not live he is enabled to vote in a race or on a matter in which he could not vote in his proper precinct in which case he shall be guilty of a **Class D felony**. Any person who lends or hires his or another's naturalization papers to be used for the purpose of voting shall be subject to the same penalty.
- (3) Any resident of this state who, by means other than falsely personating a registered voter, votes at a regular or special election before he has resided in this state thirty (30) days, or in the county and precinct where the election is held the time required by law, or before he has attained full age, or before he has become a citizen, shall be guilty of a **Class B misdemeanor**.

Any person who, by means other than falsely personating a registered voter, votes in a primary election knowing that he is not qualified as provided in **KRS 116.055**, shall be guilty of a violation.

- (5) Any person who applied for or received a ballot at any voting place other than the one at which he is entitled to vote, under circumstances not constituting a violation of any of the provisions of subsections (1) to (4) of this section, shall be guilty of a **Class A misdemeanor**.

➤ **KRS 119.195 Removing or tampering with ballots:**

- (1) Any person who, during an election, knowingly and willfully removes or attempts to remove an official ballot from the election room, or has in his possession outside the election room any official ballot, either genuine or counterfeit, shall be guilty of a **Class D felony**.
- (2) Any voter who attempts to leave the election room with an official ballot in his possession shall at once be arrested on demand of either of the Judges of election and shall be guilty of a violation, unless the act was done knowingly in which event he shall be guilty of a **Class A misdemeanor**.
- (3) Any person who takes or removes in any manner, feloniously or with the consent or permission of the custodian, any official ballot from any place where it may lawfully be, or knowingly and willfully has in his possession or custody any such official ballot, except as an officer or custodian under the law or while within the polling place for the purpose of voting, and any custodian or officer who permits any official ballot to be removed or carried away from the place where it may lawfully be by any person other than the officer or custodian whose duty it is to receive it, shall be guilty of a **Class C felony**.
- (5) Any person who unlawfully destroys or attempts to destroy any official ballot box used, or any official ballot deposited, at any election, or who unlawfully, by force, fraud, or other improper means, obtains or attempts to obtain possession of any

ballot box or any official ballot therein deposited, while the voting at any election is going on or before the official ballots are duly taken out and counted according to law, shall be guilty of a **Class D felony**.

- (8) Any person who removes, mutilates, or destroys, or adds any new official ballots to, the regular official ballots that have been counted and prepared for preservation, or that have already been preserved, so that the result of the election in the precinct or county is changed, shall be guilty of a **Class D felony**.
- (9) Any person who tampers with or changes the official ballots or opens the receptacles in which the official ballots are contained without the order of the court, after the ballots have been sent to the Franklin County courthouse in connection with the contest of a constitutional amendment, shall be guilty of a **Class D felony**.

➤ **KRS 119.205 Vote buying and petitions.**

- (1) Any person who makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate or public question at an election shall be guilty of a **Class D felony**.  
Any person who solicits, accepts, or receives any such expenditure as payment or consideration for his vote, or the withholding of his vote, or to vote for or against any candidate or public question at an election shall be guilty of a **Class D felony**.
- (3) Any person who makes or offers to make an expenditure to any person to sign a petition to have a public question placed on the ballot, or any person who solicits, accepts, or receives any such expenditure as payment or consideration to sign a petition to have a public question placed on a ballot, shall be guilty of a **Class B misdemeanor**.

➤ **KRS 119.235:** any person who willfully alters, obliterates, secretes, suppresses or destroys a stub book, return or certificate of election, and any officer who makes, aids in making or authorizes the making of any false or fraudulent stub book, certificate of election or election return, shall be guilty of a **Class D felony**

