

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 117.085 is amended to read as follows:

4 (1) All requests for an application for a mail-in absentee ballot may be transmitted by
5 telephone, facsimile machine, by mail, by electronic mail, or in person. The county
6 clerk shall transmit all applications for a mail-in absentee ballot to the voter by
7 mail, electronic mail, or in person at the option of the voter, except as provided in
8 paragraph (b) of this subsection. Except as otherwise provided in KRS 117.077, the
9 mail-in absentee ballot application may be requested by the voter or the spouse,
10 parents, or children of the voter, but shall be restricted to the use of the voter.

11 (a) Except as otherwise provided in KRS 117.077, a qualified voter may apply to
12 cast his or her vote by mail-in absentee ballot if the completed application is
13 received not later than the close of business hours seven (7) days before the
14 election, and if the voter is:

- 15 1. A resident of Kentucky who is a covered voter as defined in KRS
16 117A.010;
- 17 2. A student who temporarily resides outside the county of his or her
18 residence;
- 19 3. Incarcerated in jail and charged with a crime, but has not been convicted
20 of the crime;
- 21 4. Changing or has changed his or her place of residence to a different state
22 while the registration books are closed in the new state of residence
23 before an election of electors for President and Vice President of the
24 United States, in which case the voter shall be permitted to cast a mail-in
25 absentee ballot for electors for President and Vice President of the
26 United States only;
- 27 5. Temporarily residing outside the state but still eligible to vote in this

1 state;

2 6. Prevented from voting in person at the polls on election day and from
3 casting an in-person absentee ballot in the county clerk's office on all
4 days in-person absentee voting is conducted because his or her
5 employment location requires him or her to be absent from the county of
6 his or her residence all hours and all days in-person absentee voting is
7 conducted in the county clerk's office;

8 7. A participant in the Secretary of State's crime victim address
9 confidentiality protection program as authorized by KRS 14.312; or

10 8. Not able to appear at the polls on election day on the account of age,
11 disability, or illness, and who has not been declared mentally disabled by
12 a court of competent jurisdiction.

13 (b) Residents of Kentucky who are covered voters as defined in KRS 117A.010
14 may apply for a mail-in absentee ballot by means of the federal post-card
15 application, which may be transmitted to the county clerk's office by mail, by
16 facsimile machine, or by means of the electronic transmission system
17 established under KRS 117A.030(4). The federal post-card application may be
18 used to register, reregister, and to apply for a mail-in absentee ballot. If the
19 federal post-card application is received at any time not less than seven (7)
20 days before the election, the county clerk shall affix his or her seal to the
21 application form upon receipt.

22 (c) In-person absentee voting shall be conducted in the county clerk's office or
23 other place designated by the county board of elections and approved by the
24 State Board of Elections during normal business hours for at least the twelve
25 (12) working days before the election. A county board of elections may permit
26 in-person absentee voting to be conducted~~[on a voting machine]~~ for a period
27 longer than the twelve (12) working days before the election.

- 1 (d) A qualified voter may, at any time during normal business hours on those days
2 in-person absentee voting is conducted in the county clerk's office, make
3 application in person to the county clerk to vote~~[on a voting machine]~~ in the
4 county clerk's office or other place designated by the county board of elections
5 and approved by the State Board of Elections, if the voter provides proof of
6 identification as defined in KRS 117.375 or meets the requirements of KRS
7 117.228 and 117.229, and the voter:
- 8 1. Is a resident of Kentucky who is a covered voter as defined in KRS
9 117A.010, who will be absent from the county of his or her residence on
10 any election day;
 - 11 2. Is a student who temporarily resides outside the county of his or her
12 residence;
 - 13 3. Has surgery, or whose spouse has surgery, scheduled that will require
14 hospitalization on election day;
 - 15 4. Temporarily resides outside the state, but is still eligible to vote in this
16 state and will be absent from the county of his or her residence on any
17 election day;
 - 18 5. Is a resident of Kentucky who is a uniformed-service voter as defined in
19 KRS 117A.010 confined to a military base on election day, learns of that
20 confinement within seven (7) days or less of an election, and is not
21 eligible for a mail-in absentee ballot under this subsection;
 - 22 6. Is in her last trimester of pregnancy at the time she wishes to vote under
23 this paragraph. The application form for a voter under this subparagraph
24 shall be prescribed by the State Board of Elections, which shall contain
25 the woman's sworn statement that she is in fact in her last trimester of
26 pregnancy at the time she wishes to vote;
 - 27 7. Has not been declared mentally disabled by a court of competent

1 jurisdiction and, on account of age, disability, or illness, is not able to
2 appear at the polls on election day; or

3 8. Is not permitted to vote by a mail-in absentee ballot under paragraph (a)
4 of this subsection, but who will be absent from the county of his or her
5 residence on election day.

6 (e) Voters who change their place of residence to a different state while the
7 registration books are closed in the new state of residence before a presidential
8 election shall be permitted to cast an in-person absentee ballot for President
9 and Vice President only, by making application in person to the county clerk
10 to vote~~[on a voting machine]~~ in the county clerk's office or other place
11 designated by the county board of elections and approved by the State Board
12 of Elections, up to the close of normal business hours on the day before the
13 election.

14 (f) Any member of the county board of elections, any precinct election officer
15 appointed to serve in a precinct other than that in which he or she is registered,
16 any alternate precinct election officer, any deputy county clerk, any staff for
17 the State Board of Elections, and any staff for the county board of elections
18 may vote~~[on a voting machine]~~ in the county clerk's office or other place
19 designated by the county board of elections~~[,]~~ and approved by the State
20 Board of Elections, up to the close of normal business hours on the day before
21 the election. The application form for those persons shall be prescribed by the
22 State Board of Elections and, in the case of application by precinct election
23 officers, shall contain a verification of appointment signed by a member of the
24 county board of elections. If an alternate precinct election officer or a precinct
25 election officer appointed to serve in a precinct other than that in which he or
26 she is registered receives his or her appointment while in-person absentee
27 voting is being conducted in the county, the officer may vote ~~[on a voting~~

1 ~~machine~~ in the county clerk's office or other place designated by the county
2 board of elections~~[-]~~ and approved by the State Board of Elections, up to the
3 close of normal business hours on the day before the election. Precinct
4 election officers' verification of appointment shall also contain the date of
5 appointment. The applications shall be restricted to the use of the voter only.

6 (g) The members of the county board of elections or their designees who provide
7 equal representation of both political parties may serve as precinct election
8 officers, without compensation, for all in-person absentee voting performed~~[-]~~
9 ~~on a voting machine~~ in the county clerk's office or other place designated by
10 the county board of elections and approved by the State Board of Elections. If
11 the members of the county board of elections or their designees serve as
12 precinct election officers for the in-person absentee voting, they shall perform
13 the same duties and exercise the same authority as precinct election officers
14 who serve on the day of an election. If the members of the county board of
15 elections or their designees do not serve as precinct election officers for in-
16 person absentee voting, the county clerk or deputy county clerks shall
17 supervise the in-person absentee voting.

18 (h) Any individual qualified to appoint challengers for the day of an election may
19 also appoint challengers to observe all in-person absentee voting performed at
20 the county clerk's office or other place designated by the county board of
21 elections~~[-]~~ and approved by the State Board of Elections, and those
22 challengers may exercise the same privileges as challengers appointed for
23 observing voting on the day of an election at a regular polling place.

24 (2) The county clerk shall type the name of the voter permitted to vote by mail-in
25 absentee ballot on the mail-in absentee ballot application form for that person's use
26 and no other. The mail-in absentee ballot application form shall be in the form
27 prescribed by the State Board of Elections, which shall include the voter affirmation

1 form as prescribed in KRS 117.228(1)(c), ~~shall bear the seal of the county clerk,~~
2 and shall contain the following information: name, residential address, precinct,
3 party affiliation, statement of the reason the person cannot vote in person on
4 election day, statement of where the voter shall be on election day, statement of
5 compliance with residency requirements for voting in the precinct, an instructional
6 statement prescribing the requirements for providing a copy of the voter's proof of
7 identification or voter affirmation when applicable, and the voter's mailing address
8 for a mail-in absentee ballot. The mail-in absentee ballot application form shall be
9 verified and signed by the voter, and the voter shall provide a copy of his or her
10 proof of identification, as defined in KRS 117.375, or the executed voter
11 affirmation as described in KRS 117.228(1)(c). A notice of the actual penalty
12 provisions in KRS 117.995(2) and (5) shall be printed on the mail-in absentee ballot
13 application form.

14 (3) (a) If the county clerk finds that the voter is properly registered as stated in his or
15 her mail-in absentee ballot application form and qualifies to receive a mail-in
16 absentee ballot by mail, the clerk ~~he or she~~ shall mail to the voter a mail-in
17 absentee ballot, two (2) official envelopes for returning the mail-in absentee
18 ballot, and instructions for voting.

19 (b) The county clerk shall complete a postal form for a certificate of mailing for
20 mail-in absentee ballots mailed within the fifty (50) states, and it shall be
21 stamped by the postal service when the mail-in absentee ballots are mailed. A
22 mail-in absentee ballot may be transmitted by facsimile machine or by the
23 electronic transmission system established under KRS 117A.030(4) to a
24 covered voter as defined in KRS 117A.010. The covered voter shall be
25 notified of the options for transmittal of the mail-in absentee ballot, and the
26 mail-in absentee ballot shall be transmitted by the method chosen for receipt
27 by the resident of Kentucky who is a covered voter.

- 1 (4) Mail-in absentee ballots which are requested prior to the printing of the mail-in
2 absentee ballots shall be mailed or otherwise transmitted as provided in subsection
3 (3) of this section by the county clerk to the voter within three (3) days of the receipt
4 of the printed ballots. Mail-in absentee ballots requested after the receipt of the
5 ballots by the county clerk shall be mailed or otherwise transmitted as provided in
6 subsection (3) of this section to the voter within three (3) days of the receipt of the
7 request.
- 8 (5) The county clerk shall cause mail-in absentee ballots to be printed fifty (50) days
9 prior to each primary or regular election, and forty-five (45) days prior to a special
10 election.
- 11 (6) The outer envelope shall bear the words "Absentee Ballot" and the address and
12 official title of the county clerk and shall provide space for the voter's signature,
13 voting address, precinct number, and signatures of two (2) witnesses if the voter
14 signs the form with the use of a mark instead of the voter's signature. A detachable
15 flap on the secrecy envelope shall provide space for the voter's signature, voting
16 address, precinct number, signatures of two (2) witnesses if the voter signs the form
17 with the use of a mark instead of the voter's signature and notice of penalty provided
18 in KRS 117.995(5). The county clerk shall type the voter's address and precinct
19 number in the upper left hand corner of the outer envelope and of the detachable
20 flap on the secrecy envelope immediately below the blank space for the voter's
21 signature. The secrecy envelope shall be blank. The county clerk shall retain the
22 voter's mail-in ballot application form, which shall include the photographed copy
23 of the voter's proof of identification or the voter affirmation as prescribed by KRS
24 117.228(1)(c), and the postal form required by subsection (3) of this section for
25 twenty-two (22) months after the primary or election.
- 26 (7) Any person who has received a mail-in absentee ballot by mail but who knows at
27 least seven (7) days before the date of the election that he or she will be in his or her

1 county of residence on election day and who has not voted pursuant to the
2 provisions of KRS 117.086 shall cancel his or her mail-in absentee ballot and vote
3 in person. The voter shall return the mail-in absentee ballot to the county clerk's
4 office no later than seven (7) days prior to the date of the election. Upon the return
5 of the mail-in absentee ballot, the county clerk shall mark on the outer envelope of
6 the sealed ballot or the unmarked ballot the words "Canceled because voter
7 appeared to vote in person." Sealed envelopes so marked shall not be opened. The
8 county clerk shall remove the voter's name from the list of persons who were sent
9 mail-in absentee ballots, and the voter may vote in the precinct in which he or she is
10 properly registered.

11 (8) Any voter qualified for a mail-in absentee ballot who does not receive a requested
12 mail-in absentee ballot within a reasonable amount of time shall contact the county
13 clerk, who shall reissue a second mail-in absentee ballot. The county clerk shall
14 keep a record of the mail-in absentee ballots issued and returned by mail or
15 deposited in a secure ballot drop box, the in-person absentee voting and federal in-
16 person provisional absentee voting that is performed~~[on the voting machine]~~ in the
17 county clerk's office or other place designated by the county board of elections and
18 approved by the State Board of Elections, to verify that only the first voted ballot to
19 be returned by the voter is counted. Upon the return of any mail-in absentee ballot
20 after the first mail-in absentee ballot is returned, the county clerk shall mark on the
21 outer envelope of the sealed ballot the words "Canceled because ballot reissued."

22 (9) Any covered voter as defined in KRS 117A.010 who has received a mail-in
23 absentee ballot but who knows that he or she will be in the county on election day
24 and who has not voted pursuant to the provisions of KRS 117.086 shall cancel his
25 or her mail-in absentee ballot and vote in person. The voter shall return the mail-in
26 absentee ballot to the county clerk's office on or before election day. Upon the
27 return of the mail-in absentee ballot, the county clerk shall mark on the outer

1 envelope of the sealed mail-in absentee ballot or the unmarked mail-in absentee
 2 ballot the words "Canceled because voter appeared to vote in person." Sealed
 3 envelopes so marked shall not be opened. If the covered voter is unable to return the
 4 mail-in absentee ballot to the county clerk's office on or before election day, at the
 5 time he or she votes in person, he or she shall sign a written oath as to his or her
 6 qualifications on the form prescribed by the State Board of Elections pursuant to
 7 KRS 117.245. The county clerk shall remove the voter's name from the list of
 8 persons who were sent mail-in absentee ballots, provide the voter with written
 9 authorization to vote at the precinct, and the voter may vote in the precinct in which
 10 he or she is properly registered.

11 (10) Notwithstanding the provisions of the Kentucky Open Records Act, KRS 61.870 to
 12 61.884, the information contained in an application for a mail-in absentee ballot
 13 shall not be made public until after the close of business hours on the election day
 14 for which the application applies. This subsection shall not prohibit at any time the
 15 disclosure, upon request, of the total number of applications for mail-in absentee
 16 ballots that have been filed, or the disclosure to the Secretary of State or the State
 17 Board of Elections, if requested or if otherwise required by law, of any information
 18 in an application for a mail-in absentee ballot.

19 ➔Section 2. KRS 117.086 is amended to read as follows:

20 (1) (a) A voter may return his or her voted mail-in absentee ballot by mail or by
 21 deposit in a secure ballot drop box as provided in subsection (3) of this
 22 section.

23 (b) A voted mail-in absentee ballot may be deposited in a secure ballot drop box
 24 at the request of the voter by the spouse, children, parents, or grandchildren
 25 of the voter, or if unavailable, by the brother, sister, niece, nephew, or
 26 designee of the voter.

27 (2) (a) To validate a mail-in absentee ballot the voter ~~returning his or her absentee~~

1 ~~ballot by mail~~ shall:

2 1. Mark his or her ballot;~~;~~

3 2. Seal *the voted ballot*~~;~~ in the secrecy envelope;

4 3. ***Sign the detachable flap and the outer envelope;*** ~~and then~~

5 4. Seal the outer envelope;~~;~~ and

6 5. Mail it to the county clerk, ***or deposit it in a secure ballot drop box,*** as
7 provided in this chapter.

8 (b) ~~[The voter shall sign the detachable flap and the outer envelope in order to~~
9 ~~validate the ballot.]~~ A person having power of attorney for the voter ~~and~~ who
10 signs the detachable flap and outer envelope for the voter shall complete the
11 voter assistance form as required by KRS 117.255. The signatures of two (2)
12 witnesses are required if the voter signs the form with the use of a mark
13 instead of the voter's signature.

14 (c) A resident of Kentucky who is a covered voter as defined in KRS 117A.010
15 who has received an absentee ballot transmitted by facsimile machine or by
16 means of the electronic transmission system established under KRS
17 117A.030(4) shall transmit the voted ballot to the county clerk by mail ~~only~~,
18 conforming with ballot security requirements that may be promulgated by the
19 State Board of Elections by administrative regulation under KRS Chapter
20 13A, ***or by deposit in a secure ballot drop box.***

21 (d) In order to be counted, the ***absentee*** ballots shall be received by the county
22 clerk by at least the time established by the election laws generally for the
23 closing of the polls, which time shall not include the extra hour during which
24 those voters may vote who were waiting in line to vote at the scheduled poll
25 closing time.

26 (3) (a) ***The county clerk shall provide a minimum of one (1) secure ballot drop box***
27 ***to receive voted mail-in absentee ballots for each primary, regular election,***

1 or special election. The secure ballot drop box may be located in the county
2 clerk's office. Additional secure ballot drop boxes may be placed in other
3 locations provided the additional locations have been approved by the State
4 Board of Elections and meet the requirements of this section. Public notice
5 of all secure ballot drop box locations shall be given in the same manner as
6 provided under subsection (6) of this section, and posted to the Web site of
7 the county clerk; and

8 (b) The State Board of Elections shall establish through administrative
9 regulations promulgated under KRS Chapter 13A security measures and
10 procedures for use of secure ballot drop boxes. These measures and
11 procedures shall include:

12 1. Requirements for acceptable locations;

13 2. Signage requirements;

14 3. That all secure ballot drop boxes shall be locked;

15 4. That all secure ballot drop boxes be monitored in-person or through
16 use of a video security surveillance system;

17 5. That ballots must be removed from a secure ballot drop box by at least
18 two (2) persons with a record of the date and time ballots were
19 removed, and the names of the persons removing them;

20 6. That ballots from a secure ballot drop box shall be returned to the
21 county clerk in locked transport containers and the county clerk shall
22 transfer the ballots upon receipt in accordance with subsection (8) of
23 this section;

24 7. That except for those times ballots are being removed and transported
25 from a secure ballot drop box to the county clerk as provided in this
26 subsection, the county clerk and at least one (1) member of the county
27 board of elections who is not of the same political party as the county

1 clerk shall retain the keys to all secure ballot drop boxes and transport
 2 containers in use in the county; and

3 8. The manner of identification and reporting of any evidence of
 4 tampering, alteration, or destruction of any secure ballot drop box.

5 ~~(4)~~~~(2)~~ Any voter who shall be absent from the county on election day, but who does
 6 not qualify to receive a mail-in absentee ballot under the provisions of KRS
 7 117.085, and all voters qualified to vote prior to the election under the provisions of
 8 KRS 117.085, shall vote at the main office of the county clerk or other place
 9 designated by the county board of elections~~[,]~~ and approved by the State Board of
 10 Elections, prior to the day of election. The county clerk may provide for such voting
 11 by the voting equipment in general use in the county either at the precinct, the
 12 equipment as may be used to tabulate absentee ballots, or any other voting
 13 equipment approved by the State Board of Elections for use in Kentucky, except as
 14 follows:

15 (a) Any voter qualifying to vote in the county clerk's office or other place
 16 designated by the county board of elections~~[,]~~ and approved by the State
 17 Board of Elections, who receives assistance to vote shall complete the voter
 18 assistance form required by KRS 117.255;

19 (b) Any voter qualifying to vote in the county clerk's office or other place
 20 designated by the county board of elections~~[,]~~ and approved by the State
 21 Board of Elections, whose qualifications are challenged on grounds other than
 22 inability to provide proof of identification by any clerk or deputy shall
 23 complete an "Oath of Voter" affidavit; and

24 (c) Any voter qualifying to vote in the county clerk's office or other place
 25 designated by the county board of elections and approved by the State Board
 26 of Elections, who is unable to provide proof of identification as defined in
 27 KRS 117.375, may cast an in-person absentee ballot or federal provisional in-

1 person absentee ballot in accordance with KRS 117.228 or 117.229.

2 ~~(5)~~~~(3)~~ When the county clerk uses general voting equipment as provided for in
3 subsection ~~(4)~~~~(2)~~ of this section, each voter casting his or her vote at the county
4 clerk's office or other place designated by the county board of elections~~[-]~~ and
5 approved by the State Board of Elections, shall sign an "Absentee Ballot Signature
6 Roster."

7 ~~(6)~~~~(4)~~ The county clerk shall designate a location within his or her office where the
8 ballots shall be cast secretly. The county clerk, with the approval of the State Board
9 of Elections, may establish locations other than his or her main office in which the
10 voters may execute their ballots. Public notice of the locations shall be given
11 pursuant to KRS Chapter 424, and similar notice by mail shall be given to the
12 county chairs of the two (2) political parties whose candidates polled the largest
13 number of votes in the county at the last regular election.

14 ~~(7)~~~~(5)~~ The State Board of Elections shall promulgate administrative regulations
15 under KRS Chapter 13A to provide for casting ballots in accordance with
16 subsection ~~(4)~~~~(2)~~ of this section.

17 ~~(8)~~~~(6)~~ The county clerk shall deposit all of the mail-in absentee ballots in a locked
18 ballot box immediately upon receipt without opening the outer envelope. The ballot
19 box shall be locked with three (3) locks. The keys to the box shall be retained by the
20 three (3) members of the central absentee ballot counting board, if one is appointed,
21 or by the members of the board of elections, and the box shall remain locked until
22 the ballots are counted. All voting equipment on which ballots are cast as permitted
23 in subsection ~~(4)~~~~(2)~~ of this section shall also remain locked and the keys shall be
24 retained by the three (3) members of the central absentee ballot counting board, if
25 one is appointed, or by the members of the board of elections, and the equipment
26 shall remain locked until the ballots are counted.

27 ~~(9)~~~~(7)~~ The county clerk shall keep separate lists for each election of all persons who:

- 1 (a) Return their absentee ballots by mail or by deposit in a secure ballot drop
 2 box;
- 3 (b) Cast their ballots in the county clerk's office or other place designated by the
 4 county board of elections and approved by the State Board of Elections; and
- 5 (c) Cast their federal provisional in-person absentee ballots under subsection
 6 ~~(4)(2)~~(c) of this section.

7 The county clerk shall send a copy of each list to the State Board of Elections after
 8 any primary or election day. Notwithstanding the provisions of the Kentucky Open
 9 Records Act, KRS 61.870 to 61.884, each list of all persons who return their
 10 absentee ballots by mail or who cast their ballots in the clerk's office or other
 11 designated and approved place shall not be made public until after the close of
 12 business hours on the primary or election day for which the list applies. The county
 13 clerk and the Secretary of State shall keep a record of the number of votes cast by
 14 each method listed in paragraphs (a) to (c) of this subsection, which are cast in any
 15 primary or election as a part of the official returns of the primary or election.

16 ~~(10)(8)~~ The county board of elections shall report to the State Board of Elections
 17 within ten (10) days after any primary or regular election as to the number of
 18 rejected absentee ballots, including rejected mail-in absentee ballots and ballots cast
 19 under subsection ~~(4)(2)~~ of this section, and the reasons for rejecting the ballots on
 20 a form prescribed and furnished by the State Board of Elections in administrative
 21 regulations promulgated under KRS Chapter 13A.

22 ➔Section 3. KRS 117.087 is amended to read as follows:

- 23 (1) The challenge of a mail-in~~an~~ absentee ballot~~returned by mail~~ shall be in writing
 24 and in the hands of the county clerk before 8 a.m. on election day.
- 25 (2) The county board of elections shall count the mail-in absentee ballots~~returned by~~
 26 ~~mail~~ and the votes cast~~on the voting machine~~ in the county clerk's office or other
 27 place designated by the county board of elections and approved by the State Board

1 of Elections. Federal provisional in-person absentee ballots shall be processed in
2 accordance with KRS 117.229. The board may appoint a central ballot counting
3 board of not less than three (3) members, who shall be qualified voters and no more
4 than two-thirds (2/3) of whom shall be members of the same political party, to
5 count the ballots at the direction of the county board of elections.

6 (3) Beginning at 8 a.m. on election day, the board shall meet at the county clerk's office
7 to count the mail-in absentee ballots~~[returned by mail]~~ and the ballots cast~~[on the~~
8 ~~voting machine]~~ in the county clerk's office or other place designated by the county
9 board of elections and approved by the State Board of Elections. Candidates or their
10 representatives shall be permitted to be present. The county board of elections shall
11 authorize representatives of the news media to observe the counting of the ballots.
12 The board shall open the boxes containing mail-in absentee ballots~~[returned by~~
13 ~~mail]~~ and remove the envelopes one (1) at a time. As each envelope is removed, it
14 shall be examined to ascertain whether the outer envelope and the detachable flap
15 are in proper order and have been signed by the voter. A person having power of
16 attorney for the voter~~[and]~~ who signs the detachable flap and outer envelope for the
17 voter shall complete the voter assistance form required by KRS 117.255. The
18 signatures of two (2) witnesses are required if the voter signs the form with the use
19 of a mark instead of the voter's signature. All unsigned mail-in absentee ballots shall
20 be rejected automatically. The chair of the county board of elections shall compare
21 the signatures on the outer envelope and~~[,]~~ the detachable flap with the signature of
22 the voter that appears on the registration card. If the outer envelope and the
23 detachable flap are found to be in order, the chair shall read aloud the name of the
24 voter. If the vote of the voter is not rejected on a challenge then made as provided in
25 subsection (4) of this section, the chair shall remove the detachable flap and place
26 the secrecy envelope unopened in a ballot box which has been provided for the
27 purpose.

- 1 (4) When the name of a voter who cast a mail-in absentee ballot is read aloud by the
2 chair, the vote of the voter may be challenged by any board member or by the
3 written challenge provided in subsection (1) of this section and the challenge may
4 be determined and the vote accepted or rejected by the board as if the voter was
5 present and voting in person; but if the outer envelope and the detachable flap are
6 regular, and each substantially comply with the provisions of this chapter, they shall
7 be considered as showing that the voter is prima facie entitled to vote. If the vote of
8 a voter is rejected pursuant to the challenge, the secrecy envelope shall not be
9 opened, but returned to the outer envelope upon which the chair shall write on the
10 envelope the word "rejected."
- 11 (5) After the challenges have been made and all the blank secrecy envelopes have been
12 placed in a ballot box, the box shall be thoroughly shaken to redistribute the
13 absentee ballots in the box. The board shall open the ballot box, remove the
14 absentee ballots from the secrecy envelopes, and count the ballots.
- 15 (6) The board shall unlock any voting equipment used to cast ballots in the county
16 clerk's office or other place designated by the county board of elections~~[]~~ and
17 approved by the State Board of Elections, as provided for in KRS 117.086, and a
18 total of all ballots shall be made and recorded on the form provided by the State
19 Board of Elections.
- 20 (7) The county board of elections, the county clerk, and all individuals permitted to be
21 present for the counting of absentee ballots pursuant to subsection (2) of this section
22 shall not make public the absentee ballot results determined as provided in this
23 section until after 6 p.m. prevailing time.