

1 AN ACT relating to the conduct of local elected officials.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 117 IS CREATED TO
4 READ AS FOLLOWS:

5 *Any local elected official shall not intentionally:*

6 *(1) Use or attempt to use his or her influence as an elected official in any matter*
7 *which involves a substantial conflict between his or her personal interest and his*
8 *or her duties in the public interest;*

9 *(2) Use his or her official position or office to obtain financial gain for himself or*
10 *herself, any members of the elected official's family, or a business associate of the*
11 *elected official;*

12 *(3) Use or attempt to use his or her official position to secure or create privileges,*
13 *exemptions, advantages, or treatment for himself, herself, or others in direct*
14 *contravention of the public interest at large; or*

15 *(4) Use public funds, time, or personnel for his or her private gain or that of another,*
16 *unless the use is authorized by law.*

17 ➔Section 2. KRS 117.995 is amended to read as follows:

18 (1) Any person appointed to serve as an election officer but who shall knowingly and
19 willfully fail to serve and who is not excused by the county board of elections for
20 the reasons specified in this chapter shall be guilty of a violation and shall be
21 ineligible to serve as an election officer for a period of five (5) years.

22 (2) Any county clerk or member of the county board of elections who knowingly and
23 willfully violates any of the provisions of this chapter, including furnishing
24 applications for absentee ballots to persons other than those specified by the
25 provisions of this chapter and failure to type the name of the voter on the
26 application form as required by the provisions of this chapter, shall be guilty of a
27 Class D felony.

- 1 (3) Any officer who willfully fails to prepare or furnish ballot labels or absentee ballots
2 or fails to allow a qualified voter to cast his or her vote on the machine as required
3 of the voter by this chapter shall be guilty of a Class A misdemeanor.
- 4 (4) Any election officer who knowingly and willfully violates any of the provisions of
5 this chapter, including failure to enforce the prohibition against electioneering
6 established by KRS 117.235, shall be guilty of a Class A misdemeanor for the first
7 offense and a Class D felony for each subsequent offense.
- 8 (5) Any person who signs a name other than his or her own on an application for an
9 absentee ballot or on the verification form for the ballot or on an emergency
10 absentee ballot affidavit, or any person who votes an absentee ballot other than the
11 one issued in his or her name, or any person who applies for the ballot for the use of
12 anyone other than himself or herself or the person designated by the provisions of
13 this chapter, or any person who makes a false statement on an application for an
14 absentee ballot or on an emergency absentee ballot affidavit shall be guilty of a
15 Class D felony.
- 16 (6) Any person who violates any provision of KRS 117.235 or 117.236 related to
17 prohibited activities during absentee voting or on election day, after he or she has
18 been duly notified of the provisions by any precinct election officer, county clerk,
19 deputy county clerk, or other law enforcement official, shall, for each offense, be
20 guilty of a Class A misdemeanor.
- 21 (7) Any person who knowingly and willfully prepares or assists in the preparation of an
22 inaccurate or incomplete voter assistance form or fails to complete a voter
23 assistance form when required shall be guilty of a Class A misdemeanor for the first
24 offense and a Class D felony for each subsequent offense; however, if a voter has
25 been permanently certified as requiring voting assistance, there shall be no offense
26 for the failure of the voter to complete the form.
- 27 (8) The members of a county board of elections that fails to provide the training to

1 precinct election officers required by KRS 117.187(2) shall be subject to removal
2 by the State Board of Elections.

3 (9) Any local or state election official, including the Secretary of State, employees of
4 the Secretary, and members of the State Board of Elections and their staff, who
5 knowingly and willfully uses the voter registration roster in violation of KRS
6 117.025(3)(a) shall, for each offense, be guilty of a Class A misdemeanor.

7 **(10) Any local elected official who violates Section 1 of this Act shall, for each offense,**
8 **be guilty of a Class A misdemeanor.**