

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 118.125 is amended to read as follows:

4 (1) Except as provided in KRS 118.155, any person who is qualified under the
5 provisions of KRS 116.055 to vote in any primary for the candidates for nomination
6 by the party at whose hands he or she seeks the nomination, shall have his or her
7 name printed on the official ballot of his or her party for an office to which he is
8 eligible in that primary, upon filing, with the Secretary of State or county clerk, as
9 appropriate, at the proper time, a notification and declaration.

10 (2) The notification and declaration shall be in the form prescribed by the State Board
11 of Elections. It shall be signed by the candidate, ***but the candidate's signature*** ~~and~~
12 ~~by not less than two (2) registered voters of the same party from the district or~~
13 ~~jurisdiction from which the candidate seeks nomination. Signatures for nomination~~
14 ~~papers~~ shall not be affixed on the document to be filed prior to the first Wednesday
15 after the first Monday in November of the year preceding the year in which the
16 office will appear on the ballot. The notification and declaration for a candidate
17 shall include the following oath:

18 "For the purpose of having my name placed on the official primary election
19 ballot as a candidate for nomination by the ----- Party, I, ----- (name in full as
20 desired on the ballot as provided in KRS 118.129), do solemnly swear that my
21 residence address is ----- (street, route, highway, city if applicable, county, state,
22 and zip code), that my mailing address, if different, is ----- (post office address), and
23 that I am a registered ----- (party) voter in ----- precinct; that I believe in the
24 principles of the ----- Party, and intend to support its principles and policies; that I
25 meet all the statutory and constitutional qualifications for the office which I am
26 seeking; that if nominated as a candidate of such party at the ensuing election I will
27 accept the nomination and not withdraw for reasons other than those stated in KRS

1 118.105(3); that I will not knowingly violate any election law or any law relating to
2 corrupt and fraudulent practice in campaigns or elections in this state, and if finally
3 elected I will qualify for the office."

4 The declaration shall be subscribed and sworn to ***by the candidate*** before an officer
5 authorized to administer an oath~~[by the candidate and by the two (2) voters making~~
6 ~~the declaration and signing the candidate's petition for office]~~.

7 (3) When the notice and declaration has been filed with the Secretary of State or county
8 clerk, as appropriate, and certified according to KRS 118.165, the Secretary of State
9 or county clerk, as appropriate, shall have the candidate's name printed on the ballot
10 according to the provisions of this chapter, except as provided in KRS 118.185.

11 (4) Titles, ranks, or spurious phrases shall not be accepted on the filing papers and shall
12 not be printed on the ballots as part of the candidate's name; however, nicknames,
13 initials, and contractions of given names may be acceptable as the candidate's name.

14 ➔Section 2. KRS 118A.060 is amended to read as follows:

15 (1) Except as provided in KRS 118A.100, no person's name shall appear on a ballot,
16 including an absentee ballot, for an office of the Court of Justice without first
17 having been nominated as provided in this section.

18 (2) Each candidate for nomination shall file a petition for nomination with the
19 Secretary of State not earlier than the first Wednesday after the first Monday in
20 November of the year preceding the year in which the office will appear on the
21 ballot and not later than the first Friday following the first Monday in January
22 preceding the day fixed by law for holding the primary for the office. The petition
23 shall be sworn to~~[before an officer authorized to administer an oath]~~ by the
24 candidate ***before an officer authorized to administer an oath***~~[and by not less than~~
25 ~~two (2) registered voters from the district or circuit from which he or she seeks~~
26 ~~nomination]~~. ***The petition shall be signed by the candidate, but the candidate's***
27 ***signature***~~[Signatures for nomination papers]~~ shall not be affixed on the document

1 to be filed prior to the first Wednesday after the first Monday in November of the
2 year preceding the year in which the office will appear on the ballot. The petition
3 shall be filed no later than 4 p.m. local time at the place of filing when filed on the
4 last date on which the papers are permitted to be filed.

5 (3) The petition for nomination shall be in the form prescribed by the State Board of
6 Elections. The petition shall include a declaration sworn to by the candidate, that he
7 or she possesses all the constitutional and statutory requirements of the office for
8 which the candidate has filed. Titles, ranks, or spurious phrases shall not be
9 accepted on the petition and shall not be printed on the ballots as part of the
10 candidate's name; however, nicknames, initials, and contractions of given names
11 may be acceptable as the candidate's name.

12 (4) The Secretary of State shall examine the petition of each candidate to determine
13 whether it is regular on its face. If there is an error, the Secretary of State shall
14 notify the candidate by certified mail within twenty-four (24) hours of filing. The
15 order of names on the ballot for each district or circuit, and numbered division if
16 divisions exist, shall be determined by lot at a public drawing to be held in the
17 office of the Secretary of State at 2 p.m., standard time, on the Thursday following
18 the filing deadline for the primary as established in this section and in KRS
19 83A.045 and 118.165.

20 (5) Not later than the date set forth in KRS 118.215(1)(a) preceding the primary, and
21 after the order of names on the ballot has been determined as required in subsection
22 (4) of this section, the Secretary of State shall:

23 (a) Certify to the county clerks of the respective counties entitled to participate in
24 the election of the various candidates, the name and place of residence of each
25 candidate for each office, by district or circuit, and numbered division if
26 divisions exist, as specified in the petitions for nomination filed with him or
27 her; and

- 1 (b) Designate for the county clerks the office of the Court of Justice with which
2 the names of candidates shall be printed and the order in which they are to
3 appear on the ballot.
- 4 (6) The ballot position of a candidate shall not be changed after the ballot position has
5 been designated by the Secretary of State.
- 6 (7) The county clerks of each county shall cause to be printed on the ballots for the
7 primary the names of the candidates for offices in the Court of Justice.
- 8 (8) The names of the candidates shall be placed on the ballots in a separate column or
9 columns or in a separate line or lines and identified by the words "Judicial Ballot."
10 The words "Vote for one," or "Vote for one in each division," shall be printed on
11 the ballot in an appropriate location. The office, numbered division if divisions
12 exist, and the candidates shall be clearly labeled. No party designation or emblem
13 of any kind, nor any sign indicating any candidate's political belief or party
14 affiliation, shall be used on the ballots.
- 15 (9) The two (2) candidates receiving the highest number of votes for nomination for
16 justice or judge of a district or circuit, or numbered division if divisions exist, shall
17 be nominated. Certificates of nomination shall be issued as provided in KRS
18 118A.190.
- 19 (10) If it appears after expiration of the time for filing petitions for nomination that there
20 are not more than two (2) candidates who have filed the necessary petitions for a
21 place on the ballot in the regular election, no drawing for ballot position shall be
22 held and the Secretary of State shall immediately issue and file in the Secretary's
23 office certificates of nomination, and send copies to the candidates.
- 24 ➔Section 3. KRS 118A.100 is amended to read as follows:
- 25 (1) Candidates for an unexpired term of a judicial office to be filled at a regular
26 election shall be nominated at the primary next preceding the regular election in the
27 manner prescribed in KRS 118A.060 if the vacancy occurs not later than the second

1 Friday in December preceding the primary. If the vacancy occurs on or after that
2 date, the election to fill the unexpired term shall be held in accordance with the
3 procedures described in this section and Section 152 of the Constitution of
4 Kentucky.

5 (2) If in a regular election for judicial office no candidates nominated as provided in
6 KRS 118A.060 are available due to death, incapacity, or withdrawal, and the
7 candidates have not been replaced as provided in KRS 118A.060, the election to fill
8 the regular term shall be conducted in the manner prescribed in subsections (3)
9 through (11) of this section.

10 (3) Each candidate shall file a petition for nomination with the Secretary of State not
11 earlier than the first Wednesday after the first Monday in November of the year
12 preceding the year in which the election for the unexpired term will be held and not
13 later than the first Tuesday after the first Monday in June preceding the day fixed
14 by law for holding the regular election for the unexpired term, if the vacancy occurs
15 prior to the first Tuesday following the first Monday in June. If the vacancy occurs
16 after the first Tuesday following the first Monday in June, each candidate shall file
17 a petition for nomination with the Secretary of State not later than the second
18 Tuesday in August preceding the day fixed by law for holding the regular election
19 for the unexpired term. The petition shall be sworn to by the candidate ~~and by not~~
20 ~~less than two (2) registered voters from the district or circuit from which he or she~~
21 ~~seeks nomination~~, before an officer authorized to administer an oath. **The petition**
22 **shall be signed by the candidate, but the candidate's signature** ~~Signatures for~~
23 ~~nomination papers~~ shall not be affixed on the document to be filed prior to the first
24 Wednesday after the first Monday in November of the year preceding the year in
25 which the office will appear on the ballot. The petition shall be filed no later than 4
26 p.m. local time at the place of filing when filed on the last date on which the papers
27 are permitted to be filed.

- 1 (4) The petition for nomination shall be in the form prescribed by the State Board of
2 Elections. The petition shall include a declaration sworn to by the candidate, that he
3 or she possesses all the constitutional and statutory requirements of the office for
4 which the candidate has filed. Titles, ranks, or spurious phrases shall not be
5 accepted on the petition and shall not be printed on the ballots as part of the
6 candidate's name; however, nicknames, initials, and contractions of given names
7 may be acceptable as the candidate's name.
- 8 (5) The Secretary of State shall examine the petition of each candidate to determine
9 whether it is regular on its face. If there is an error, the Secretary of State shall
10 notify the candidate by certified mail within twenty-four (24) hours of filing.
- 11 (6) The order of names on the ballot for each district or circuit, and numbered division
12 if divisions exist, shall be determined by lot at a public drawing to be held in the
13 office of the Secretary of State at 2 p.m., standard time, on the Thursday following
14 the first Tuesday after the first Monday in June preceding the regular election for
15 those petitions for nomination required to be filed no later than the first Tuesday
16 following the first Monday in June. For those petitions for nomination required to
17 be filed no later than the second Tuesday in August, the order of names on the
18 ballot for each district and circuit, and numbered division if divisions exist, shall be
19 determined by lot at a public drawing to be held in the office of the Secretary of
20 State at 2 p.m., standard time, on the Thursday following the second Tuesday in
21 August preceding the regular election.
- 22 (7) Not later than the date set forth in KRS 118.215 and after the order of names on the
23 ballot has been determined as required in subsection (6) of this section, the
24 Secretary of State shall:
- 25 (a) Certify to the county clerks of the respective counties entitled to participate in
26 the election of the various candidates, the name and place of residence of each
27 candidate for each office, by district or circuit, and numbered division if

1 divisions exist, as specified in the petitions for nomination filed with the
2 Secretary of State; and

3 (b) Designate for the county clerks the office of the Court of Justice with which
4 the names of candidates shall be printed and the order in which they are to
5 appear on the ballot.

6 (8) The ballot position of a candidate shall not be changed after the ballot position has
7 been designated by the county clerk.

8 (9) The county clerks of each county shall cause to be printed on the ballots, including
9 absentee ballots, for the regular election the names of the candidates for offices of
10 the Court of Justice.

11 (10) The names of the candidates shall be placed on the ballots in a separate column or
12 columns or in a separate line or lines and identified by the words "Judicial Ballot,"
13 and in a manner so that the casting of a vote for all of the candidates of a political
14 party will not operate to cast a vote for judicial candidates. The words "Vote for
15 one" or "Vote for one in each division," shall be printed on the appropriate location.
16 The office, numbered division if divisions exist, and the candidates therefor shall be
17 clearly labeled. No party designation or emblem of any kind, nor any sign
18 indicating any candidate's political belief or party affiliation, shall be used on any
19 ballot.

20 (11) The candidate receiving the highest number of votes cast at the regular election for
21 a district or circuit, or for a numbered division if divisions exist, shall be elected.

22 (12) A judge who elected to retire as a Senior Status Special Judge in accordance with
23 KRS 21.580 shall not become a candidate or a nominee for any elected office
24 during the five (5) year term prescribed in KRS 21.580(1)(a)1., regardless of the
25 number of days served by the judge acting as a Senior Status Special Judge.

26 ➔Section 4. Sections 1, 2 and 3 of this Act shall be retroactive to November 8,
27 2023.