

1 AN ACT relating to constitutional officers.

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

3 ➔Section 1. KRS 11.400 is amended to read as follows:

4 (1) In addition to the duties prescribed for the office by the Constitution of the
5 Commonwealth of Kentucky, the duties of the Lieutenant Governor shall be as
6 follows:

7 (a) To serve as vice ***chair***~~[chairman]~~ of the State Property and Buildings
8 Commission as prescribed by KRS 56.450;

9 (b) To serve as vice ***chair***~~[chairman]~~ of the Kentucky Turnpike Authority as
10 prescribed in KRS 175.430;

11 (c) To serve as a member of the Board of the Kentucky Housing Corporation in
12 accordance with KRS 198A.030;~~[and]~~

13 (d) To serve as a member of Kentucky delegations on the following interstate
14 compact commissions or boards:

15 1. The Breaks Interstate Park Commission as provided in KRS 148.225;

16 2. The Falls of the Ohio Interstate Park Commission pursuant to KRS
17 148.242;

18 3. The Tennessee-Tombigbee Waterway Development Authority pursuant
19 to KRS 182.305;

20 4. The Interstate Water Sanitation Control Commissions as prescribed by
21 KRS 224.18-710; ~~[and]~~

22 5. The Kentucky Mining Advisory Council for the Interstate Mining
23 Compact as provided by KRS 350.310; ***and***

24 ***The Lieutenant Governor shall have direction and control of his or her***
25 ***office, and shall exercise the powers and perform the duties vested in the***
26 ***offices under his or her direction or control. The Lieutenant Governor shall***
27 ***appoint such principal assistants as may be necessary to execute the***

1 *functions of these offices.*

2 (2) Nothing in this section shall prohibit the Governor and Lieutenant Governor from
3 agreeing upon additional duties within the executive branch of the state government
4 to be performed by the Lieutenant Governor.

5 ➔Section 2. KRS 117.275 is amended to read as follows:

6 (1) At the count of the votes in any precinct, any candidate or slate of candidates and
7 any representatives to witness and check the count of the votes therein, who are
8 authorized to be appointed as is provided in subsection (9) of this section, shall be
9 admitted and permitted to be present and witness the count.

10 (2) As soon as the polls are closed, and the last voter has voted, the judges at that time
11 shall immediately lock and seal the voting equipment so that the voting and
12 counting mechanisms will be prevented from operating, and they shall sign a
13 certificate stating:

14 (a) That the voting equipment has been locked against voting and sealed;

15 (b) The number of voters, as shown on the public counters;

16 (c) The number registered on the protective or cumulative counter or device; and

17 (d) The number or other designation of the voting equipment.

18 The certificate, with any additional certificate previously prepared under KRS
19 117.035, shall be returned by the judges of election to the officials authorized by
20 law to receive it. The judges shall compare the number of voters, as shown by the
21 counter of the voting equipment, with the number of those who have voted as
22 shown by the protective or cumulative counter or device.

23 (3) Where voting equipment is used which does not print the candidates' names along
24 with the total votes received on a general return sheet or record for that equipment,
25 the procedure to be followed shall be as follows:

26 (a) The judges, in the presence of the representatives mentioned in subsection (1)
27 of this section, if any, and of all other persons who may be lawfully within the

- 1 polling place, shall give full view of all the counter numbers;
- 2 (b) The judges shall enter, in ink, the total votes cast for each candidate, and slate
3 of candidates, and for and against each question on the return sheets; and
- 4 (c) Each precinct election officer shall sign the return sheets, and a copy of the
5 return sheets shall be posted on the precinct door.
- 6 (4) Where voting equipment is used that prints the candidates' names along with the
7 total votes received on a return sheet or record for that equipment, the precinct
8 election officers shall sign the return sheets or record for the voting equipment,
9 which shall be posted on the door of the precinct.
- 10 (5) If any officer shall decline to sign the return sheets, he or she shall state the reason
11 in writing, and a copy thereof, signed by the officer, shall be enclosed with the
12 return sheets.
- 13 (6) Each of the return sheets, if applicable, and the record of the voting equipment shall
14 be enclosed in an envelope. One (1) copy of the return sheets, if applicable, one (1)
15 copy of the record of the voting equipment, and the write-in roll, if any write-in
16 votes were cast in the precinct, shall be directed to the county board of elections of
17 the county in which the election is being held. One (1) copy of the return sheets or
18 record of the voting equipment shall be given to the county clerk of the county in
19 which the election is being held and to each of the local governing bodies of the two
20 (2) dominant political parties, but a local governing body of a dominant political
21 party may decline a copy of the precinct election return by filing a written
22 declination with the county board of elections prior to the election, and upon this
23 declination, a printed copy shall not be issued to the political party so declining. The
24 declination on file shall be effective for that election and any subsequent elections
25 until revoked by the local governing body of a dominant political party by filing a
26 written revocation with the county board of elections. The envelope shall have
27 endorsed thereon a certificate of the election officers, stating the number or unique

- 1 designation of the voting equipment, the precinct where it has been used, the
2 number on the seal, and the number on the protective or cumulative counter or
3 device at the close of the polls.
- 4 (7) Following the tabulation of all votes cast in the election, including absentee votes
5 and write-in votes, the county board shall mail a copy of the precinct-by-precinct
6 summary of the tabulation sheets showing the results from each precinct to the State
7 Board of Elections and the county clerk shall mail or deliver the precinct signature
8 rosters from each precinct to the State Board of Elections during the period
9 established by KRS 117.355(3).
- 10 (8) As soon as possible after the completion of the count, the two (2) judges shall return
11 to the county board of elections the keys to the voting equipment received and
12 receipted for by them, and the county clerk in which the precinct is located shall
13 have the voting equipment properly boxed or securely covered and removed to a
14 proper and secure place of storage.
- 15 (9) In primaries, each candidate, slate of candidates, or group of candidates may
16 designate to the county board of elections a representative to witness and check the
17 vote count. In regular elections, the governing authority of each political party, each
18 candidate for member of board of education, nonpartisan candidate, political group
19 candidate, political organization candidate, independent candidate, or independent
20 ticket may designate a representative to the county board of elections to witness and
21 check the vote count. The county board of elections shall authorize representatives
22 of the news media to witness the vote count.
- 23 (10) For all federal provisional ballots, if applicable, and supplemental paper ballots if
24 approved as provided in KRS 118.215, after the polls are closed, the two (2) judges
25 shall return to the county clerk's office the locked federal provisional ballot
26 receptacle and the supplemental paper ballot box, all ballot stubs, spoiled ballots,
27 and unvoted ballots at the same time as the tabulation of votes from the voting

1 equipment is delivered. The county clerk shall issue a receipt for the number of
2 ballot stubs, unvoted ballots, spoiled ballots, and the ballot boxes or ballot
3 receptacle.

4 (11) The county board of elections, or its designee, shall count and tally the
5 supplemental paper ballots that have not been tabulated by automatic tabulating
6 equipment at the precinct, either manually or with the use of tabulating equipment
7 that has been certified by the State Board of Elections for use for that purpose in the
8 county clerk's office. The results of the vote tally shall be certified by the county
9 board of elections to the county clerk and to the Secretary of State.

10 (12) The county board of elections shall tabulate the valid federal provisional ballots.
11 The results of the vote tally shall be certified by the county board of elections to the
12 county clerk and to the Secretary of State. The county board shall mail a copy of the
13 precinct-by-precinct summary of the valid federal provisional ballot tabulation
14 sheets showing the results from each precinct to the State Board of Elections.

15 (13) The county board of elections shall authorize the candidates, slates of candidates, or
16 their representatives, and representatives of the news media to be present during the
17 counting of the supplemental and federal provisional paper ballots.

18 (14) Except as otherwise required in this chapter, all records and papers relating to
19 specified elections shall be retained for twenty-two (22) months, and the county
20 clerk shall retain the voted federal provisional ballots, voter affirmations, election
21 official affirmations, and the supplemental paper ballots for twenty-two (22) months
22 and the unvoted federal provisional ballots, the voter affirmations, election official
23 affirmations, and the supplemental paper ballots for sixty (60) days after each
24 election day, after which time they shall be destroyed in a manner to render them
25 unreadable by the county board of elections if no contest or recount action has been
26 filed.

27 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 118 IS CREATED TO

1 READ AS FOLLOWS:

2 *A slate of candidates for Governor and Lieutenant Governor filing a notification and*
3 *declaration pursuant to Section 5 of this Act shall list on the notification and*
4 *declaration the names of the candidates for Governor and Lieutenant Governor who*
5 *shall jointly appear on the ballot. The slate of candidates for Governor and Lieutenant*
6 *Governor shall be nominated jointly by the casting by each voter of a single vote*
7 *applicable to both offices. No candidate for Governor or Lieutenant Governor shall*
8 *appear individually on the ballot for the nomination he or she is seeking.*

9 →Section 4. KRS 118.025 is amended to read as follows:

- 10 (1) Except as otherwise provided by law, voting in all primaries and elections shall be
11 by secret paper ballot.
- 12 (2) The general laws applying to primaries, regular elections, and special elections shall
13 apply to primaries, regular elections, and special elections conducted with the use of
14 voting equipment, and all provisions of the general laws applying to the custody of
15 ballot boxes shall apply, as far as applicable, to the custody of the voting system or
16 voting equipment.
- 17 (3) A primary for the nomination of candidates *or slates of candidates* to be voted for
18 at the next regular election shall be held on the first Tuesday after the third Monday
19 in May of each year.
- 20 (4) The election of all officers of all governmental units shall be held on the first
21 Tuesday after the first Monday in November.
- 22 (5) If the law authorizes the calling of a special election on a day other than the day of
23 the regular election in November, the election shall be held on a Tuesday.
- 24 (6) If the law requires that a special election be held within a period of time during
25 which the voting equipment must be locked as required by KRS 117.295, the
26 special election shall be held on the fourth Tuesday following the expiration of the
27 period during which the voting equipment is locked.

1 ➔Section 5. KRS 118.125 is amended to read as follows:

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

8 (2) The notification and declaration shall be in the form prescribed by the State Board
9 of Elections. It shall be signed by the candidate and by not less than two (2)
10 registered voters of the same party from the district or jurisdiction from which the
11 candidate seeks nomination. Signatures for nomination papers shall not be affixed
12 on the document to be filed prior to the first Wednesday after the first Monday in
13 November of the year preceding the year in which the office will appear on the
14 ballot.

15 (a) The notification and declaration for a candidate for an office other than
16 Governor or Lieutenant Governor shall include the following oath:

17 "For the purpose of having my name placed on the official primary
18 ~~[election]~~ballot as a candidate for nomination by the ----- Party, I, -----
19 (name in full as desired on the ballot as provided in KRS 118.129), do
20 solemnly swear that my residence address is ----- (street, route, highway, city
21 if applicable, county, state, and zip code), that my mailing address, if different,
22 is ----- (post office address), and that I am a registered ----- (party) voter in ---
23 --- precinct; that I believe in the principles of the ----- Party, and intend to
24 support its principles and policies; that I meet all the statutory and
25 constitutional qualifications for the office which I am seeking; that if
26 nominated as a candidate of such party at the ensuing election I will accept the
27 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
2 relating to corrupt and fraudulent practice in campaigns or elections in this
3 state, and if finally elected I will qualify for the office."

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

7 **(b) The notification and declaration for a slate of candidates for Governor and**
8 **Lieutenant Governor shall include the following oath:**

9 **"For the purpose of having our names placed on the official primary**
10 **election ballot as a slate of candidates for Governor and Lieutenant**
11 **Governor for nomination by the ----- Party, I, ----- (name of candidate for**
12 **Governor in full as desired on the ballot as provided in KRS 118.129), do**
13 **solemnly swear that my residence address is ----- (street, route, highway, city**
14 **if applicable, county, state, and zip code), that my mailing address, if**
15 **different, is ----- (post office address), and that I am a registered -----**
16 **(party) voter in ----- precinct; and I ----- (name of candidate for Lieutenant**
17 **Governor in full as desired on the ballot as provided in KRS 118.129), do**
18 **solemnly swear that my residence address is ----- (street, route, highway, city**
19 **if applicable, county, state, and zip code), that my mailing address, if**
20 **different, is ----- (post office address), and that I am a registered -----**
21 **(party) voter in ----- precinct; that we believe in the principles of the -----**
22 **Party, and intend to support its principles and policies; that we meet all the**
23 **statutory and constitutional qualifications for the offices which we are**
24 **seeking; that if nominated as candidates of such party at the ensuing**
25 **election we will accept the nominations and not withdraw for reasons other**
26 **than those stated in KRS 118.105(3); that we will not knowingly violate any**
27 **election law or any law relating to corrupt and fraudulent practice in**

1 *campaigns or elections in this state, and if finally elected we will qualify for*
 2 *our offices."*

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

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

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

13 ➔Section 6. KRS 118.226 is amended to read as follows:

14 (1) If a vacancy occurs in a *slate of candidates before the ballots are printed for the*
 15 *primary*~~[candidacy for the office of Lieutenant Governor]~~ because of death,
 16 disqualification to hold the office sought, or a severe disabling condition that arose
 17 after the *deadline for filing the notification and declaration*~~[slate formed a~~
 18 ~~campaign committee]~~, the *remaining member of the*~~[candidate for the office of~~
 19 ~~Governor on that]~~ slate may designate a replacement for the vacant candidate.

20 (2) The designation of a replacement shall be on forms filed with the Secretary of State,
 21 but only following certification to the *remaining member of the slate*~~[candidate for~~
 22 ~~the office of Governor]~~ by the Secretary of State that a vacancy exists for a reason
 23 specified in subsection (1) of this section.

24 (3) If a replacement candidate for a vacancy in *a slate of candidates*~~[candidacy for~~
 25 ~~Lieutenant Governor]~~ is made for a reason specified in subsection (1) of this section
 26 after the ballots are printed for the *primary*~~[regular election]~~, notices informing the
 27 voters of the change in composition of the slate shall be posted at each precinct

1 polling place.

2 →Section 7. KRS 120.055 is amended to read as follows:

3 Any candidate *or slate of candidates* for nomination to office at a primary held under the
4 provisions of KRS 118.015 to 118.035 and 118.105 to 118.255, or any candidate for
5 nomination to a city office at a primary for which the statutes do not otherwise provide
6 for determining contest elections, for whom a number of votes was cast equal to not less
7 than fifty percent (50%) of the votes cast for the successful candidate *or slate of*
8 *candidates* for nomination to the office, may contest the right of the successful candidate
9 *or slate of candidates*, and of any other candidate *or slate of candidates* for nomination
10 to the office, to the nomination, by filing a petition in the Circuit Court within ten (10)
11 days from the day of the primary, stating the specific grounds relied upon for the contest,
12 and causing a summons to be issued, returnable in seven (7) days. In the case of
13 candidates *or slate of candidates* for offices for the state at large, the petition shall be
14 filed in the Franklin Circuit Court; in the case of other candidates it shall be filed in the
15 Circuit Court of the county in which the contestee resides. The summons may be
16 personally served on the contestee in any county, or it may be served by leaving a copy at
17 his or her home with a member of his or her family over sixteen (16) years of age, or by
18 posting a copy on the door of his or her residence. The contestee shall file his or her
19 answer within seven (7) days after service of summons. The answer may contain grounds
20 of contest in favor of the contestee and against the contestant, but the grounds shall be
21 specifically set out. Any candidate *or slate of candidates* who would have been qualified
22 to bring a contest action under this section, who is a party to a recount proceeding brought
23 under KRS 120.095, may, by filing an answer in the recount proceeding within the time
24 allowed by this section for filing grounds of contest, set forth grounds of contest against
25 the petitioner in the recount proceeding. No ground of contest by either party shall be
26 filed or made more definite by amendment after the expiration of the time allowed by this
27 section for filing the original pleading. The contestant may file a reply within five (5)

1 days after answer is filed, which shall complete the pleading, and any affirmative matter
2 in the reply shall be treated as controverted. Upon return of the summons, properly
3 executed, to the office of the circuit clerk of the county in which the action is pending, the
4 clerk shall immediately docket the cause and notify the presiding judge of the court that
5 the contest has been instituted, and the judge shall proceed to a trial of the cause within
6 five (5) days after the issue was joined. In judicial circuits having more than one (1)
7 Circuit Judge, the judge who shall hear the cause shall be determined by lot.

8 →Section 8. KRS 120.095 is amended to read as follows:

9 (1) Any candidate or slate of candidates voted for at a primary held under KRS
10 118.015 to 118.035 and 118.105 to 118.255 may request a recount of the ballots by
11 filing a petition with the same court that contest petitions are required to be filed
12 with, within ten (10) days after the day of the primary, or, if the candidate or slate
13 of candidates is qualified to bring a contest proceeding under KRS 120.055, by
14 including a request for a recount in his or her petition instituting the contest
15 proceedings. Any candidate or slate of candidates that~~who~~ is a contestee in a
16 contest proceeding under KRS 120.055 may request a recount in his or her answer
17 filed in the contest proceeding, but in that case the answer shall be filed within five
18 (5) days after the service of process on the petition. When a request for a recount is
19 made, the State Board of Elections or the county board of elections, whichever
20 would issue the certificate of nomination, shall be made a party defendant. The
21 party requesting the recount shall execute a bond with approved surety for the costs
22 of the recount, in an amount to be fixed by the Circuit Judge. Upon the bond being
23 filed, the clerk shall immediately notify the Circuit Judge of the request and the
24 filing of the bond, and the judge shall at once enter an order directing custody of the
25 voting machines, voting equipment, or voting system, the ballots, boxes, and all
26 papers pertaining to the election to be transferred to the Circuit Court, and fix a day
27 for the recount proceedings to begin. A copy of the order shall be served upon the

1 parties or their counsel in the same manner as notices are required to be served,
2 which shall be deemed sufficient notice of the proceeding. On the day fixed, the
3 court shall proceed to recount the ballots if their integrity is satisfactorily shown and
4 shall complete the recount as soon as practicable, and file and enter of record the
5 results thereof, and direct the state board or county board, whichever would issue
6 the certificate of nomination, to issue a certificate to the party entitled thereto as
7 shown by the recount.

8 (2) Any party may appeal from the judgment to the Court of Appeals, in the same
9 manner as provided in KRS 120.075, all of the provisions of which statute shall be
10 applicable.

11 (3) If a proceeding for recount is asked and prosecuted in a contest proceeding, it shall
12 not await the preparation or trial of the contest in the Circuit Court or in the Court
13 of Appeals. The action of the courts shall be final, concluding the parties as to the
14 question of a recount of the ballots, and certificates shall then be issued to the
15 parties entitled thereto.

16 ➔Section 9. KRS 121.015 is amended to read as follows:

17 As used in this chapter:

18 (1) "Registry" means the Kentucky Registry of Election Finance;

19 (2) "Election" means any primary, regular, or special election to fill vacancies
20 regardless of whether a candidate or slate of candidates is opposed or unopposed in
21 an election. Each primary, regular, or special election shall be considered a separate
22 election;

23 (3) "Committee" includes the following:

24 (a) "Campaign committee," which means one (1) or more persons who receive
25 contributions and make expenditures to support or oppose one (1) or more
26 specific candidates or slates of candidates for nomination or election to any
27 state, county, city, or district office, but does not include an entity established

1 solely by a candidate which is managed solely by a candidate and a campaign
2 treasurer and whose name is generic in nature, such as "Friends of (the
3 candidate)," and does not reflect that other persons have structured themselves
4 as a committee, designated officers of the committee, and assigned
5 responsibilities and duties to each officer with the purpose of managing a
6 campaign to support or oppose a candidate in an election;

7 (b) "Caucus campaign committee," which means members of one (1) of the
8 following caucus groups who receive contributions and make expenditures to
9 support or oppose one (1) or more specific candidates or slates of candidates
10 for nomination or election, or a committee:

- 11 1. House Democratic caucus campaign committee;
- 12 2. House Republican caucus campaign committee;
- 13 3. Senate Democratic caucus campaign committee;
- 14 4. Senate Republican caucus campaign committee; or
- 15 5. Subdivisions of the state executive committee of a minor political party,
16 which serve the same function as the above-named committees, as
17 determined by regulations promulgated by the registry;

18 (c) "Political issues committee," which means three (3) or more persons joining
19 together to advocate or oppose a constitutional amendment or public question
20 which appears on the ballot if that committee receives or expends money in
21 excess of one thousand dollars (\$1,000);

22 (d) "Permanent committee," which means a group of individuals, including an
23 association, committee, or organization, other than a campaign committee,
24 political issues committee, inaugural committee, caucus campaign committee,
25 or party executive committee, which is established as, or intended to be, a
26 permanent organization having as a primary purpose expressly advocating the
27 election or defeat of one (1) or more clearly identified candidates, slates of

1 candidates, or political parties, which functions on a regular basis throughout
2 the year;

3 (e) An executive committee of a political party; and

4 (f) "Inaugural committee," which means one (1) or more persons who receive
5 contributions and make expenditures in support of inauguration activities for
6 any candidate or slate of candidates elected to any state, county, city, or
7 district office;

8 (4) "Contributing organization" means a group which merely contributes to candidates,
9 slates of candidates, campaign committees, caucus campaign committees, or
10 executive committees from time to time from funds derived solely from within the
11 group, and which does not solicit or receive funds from sources outside the group
12 itself. However, any contributions made by the groups in excess of one hundred
13 dollars (\$100) shall be reported to the registry;

14 (5) "Testimonial affair" means an affair held in honor of a person who holds or who is
15 or was a candidate for nomination or election to a political office in this state
16 designed to raise funds for any purpose not charitable, religious, or educational;

17 (6) "Contribution" means any:

18 (a) Payment, distribution, loan, deposit, or gift of money or other thing of value,
19 to a candidate, his or her agent, a slate of candidates, its authorized agent, a
20 committee, or contributing organization. As used in this subsection, "loan"
21 shall include a guarantee, endorsement, or other form of security where the
22 risk of nonpayment rests with the surety, guarantor, or endorser, as well as
23 with a committee, contributing organization, candidate, slate of candidates, or
24 other primary obligor. No person shall become liable as surety, endorser, or
25 guarantor for any sum in any one (1) election which, when combined with all
26 other contributions the individual makes to a candidate, his or her agent, a
27 slate of candidates, its agent, a committee, or a contributing organization,

- 1 exceeds the contribution limits provided in KRS 121.150;
- 2 (b) Payment by any person other than the candidate, his or her authorized
3 treasurer, a slate of candidates, its authorized treasurer, a committee, or a
4 contributing organization, of compensation for the personal services of
5 another person which are rendered to a candidate, slate of candidates,
6 committee, or contributing organization, or for inauguration activities;
- 7 (c) Goods, advertising, or services with a value of more than one hundred dollars
8 (\$100) in the aggregate in any one (1) election which are furnished to a
9 candidate, slate of candidates, committee, or contributing organization or for
10 inauguration activities without charge, or at a rate which is less than the rate
11 normally charged for the goods or services; or
- 12 (d) Payment by any person other than a candidate, his or her authorized treasurer,
13 a slate of candidates, its authorized treasurer, a committee, or contributing
14 organization for any goods or services with a value of more than one hundred
15 dollars (\$100) in the aggregate in any one (1) election which are utilized by a
16 candidate, slate of candidates, committee, or contributing organization, or for
17 inauguration activities;
- 18 (7) Notwithstanding the foregoing meanings of "contribution," the word shall not be
19 construed to include:
- 20 (a) Services provided without compensation by individuals volunteering a portion
21 or all of their time on behalf of a candidate, a slate of candidates, committee,
22 or contributing organization;
- 23 (b) A loan of money by any financial institution doing business in Kentucky made
24 in accordance with applicable banking laws and regulations and in the
25 ordinary course of business; or
- 26 (c) An independent expenditure by any individual or permanent committee;
- 27 (8) "Candidate" means any person who has received contributions or made

1 expenditures, has appointed a campaign treasurer, or has given his or her consent
2 for any other person to receive contributions or make expenditures with a view to
3 bringing about his or her nomination or election to public office, except federal
4 office;

5 (9) "Slate of candidates" means **any two (2) persons who have filed a joint notification**
6 **and declaration pursuant to Section 3 of this Act for the offices of Governor and**
7 **Lieutenant Governor**;

8 ~~(a) Between the time a certificate or petition of nomination has been filed for a~~
9 ~~candidate for the office of Governor under KRS 118.365 and the time the~~
10 ~~candidate designates a running mate for the office of Lieutenant Governor~~
11 ~~under KRS 118.126, a slate of candidates consists of the candidate for the~~
12 ~~office of Governor; and~~

13 ~~(b) After that candidate has designated a running mate under KRS 118.126, that~~
14 ~~same slate of candidates consists of that same candidate for the office of~~
15 ~~Governor and the candidate's running mate for the office of Lieutenant~~
16 ~~Governor. Unless the context requires otherwise, any provision of law that~~
17 ~~applies to a candidate shall also apply to a slate of candidates];~~

18 (10) "Knowingly" means, with respect to conduct or to a circumstance described by a
19 statute defining an offense, that a person is aware or should have been aware that
20 his or her conduct is of that nature or that the circumstance exists;

21 (11) "Fundraiser" means an individual who directly solicits and secures contributions on
22 behalf of a candidate or slate of candidates for a statewide-elected state office or an
23 office in a jurisdiction with a population in excess of two hundred thousand
24 (200,000) residents;

25 (12) "Independent expenditure" means the expenditure of money or other things of value
26 for a communication which expressly advocates the election or defeat of a clearly
27 identified candidate or slate of candidates, and which is made without any

1 coordination, consultation, or cooperation with any candidate, slate of candidates,
2 campaign committee, or any authorized person acting on behalf of any of them, and
3 which is not made in concert with, or at the request or suggestion of any candidate,
4 slate of candidates, campaign committee, or any authorized person acting on behalf
5 of any of them;

6 (13) "Electronic reporting" means the use of technology, having electrical, digital,
7 magnetic, wireless, optical, electromagnetic, or similar capabilities, by which an
8 individual or other entity submits, compiles, or transmits campaign finance reports
9 to the registry, or by which the registry receives, stores, analyzes, or discloses the
10 reports;

11 (14) "Security procedure" means a procedure employed for the purpose of verifying that
12 an electronic signature, record, or performance is that of a specific person or for
13 detecting changes or errors in the information in an electronic record. The term
14 includes a procedure that requires the use of algorithms or other codes, identifying
15 words or numbers, encryption, or callback or other acknowledgment procedures;

16 (15) "Electronic signature" means an electronic sound, symbol, or process attached to or
17 logically associated with a record and executed or adopted by a person with the
18 intent to sign the record;

19 (16) "Filer" means any candidate, a slate of candidates, committee, or other individual or
20 entity required to submit financial disclosure reports to the registry; and

21 (17) "Filer-side software" means software provided to or used by the filer that enables
22 transmittal of financial reports to the registry.

23 ➔Section 10. The following KRS section is repealed:

24 118.126 When candidate for Governor must designate running mate for Lieutenant
25 Governor -- Joint election of slate of candidates.