

### **117.125 Specifications and features required for approval.**

No make of voting machine shall be approved for use unless it is so constructed that:

- (1) It will insure secrecy to the voter in the act of voting.
- (2) It provides facilities that will permit votes to be cast for any candidate entitled to have his name printed upon the ballots at any regular, special or primary election, and for or against any public question entitled to be placed upon the ballots.
- (3) It will, except at primary elections, permit a voter to vote for all the candidates of one (1) party or for one (1) or more candidates of every party having candidates entitled to be voted for, or for one (1) or more independent candidates.
- (4) It will permit a voter to vote for as many persons for an office as he is lawfully entitled to vote for, and no more.
- (5) It will prevent a voter from voting for the same person, or for or against the same question, more than once.
- (6) It will permit a voter to vote for or against any question he may have the right to vote on, but no other.
- (7) It may be adjusted for use in primary elections so that a voter may not vote for any person except those seeking nomination as candidates of his party or as candidates for an office of the Court of Justice.
- (8) It will correctly register and accurately count all votes cast for each person, and for or against each public question.
- (9) It can be determined whether the machine has been unlocked and operated after once being locked.
- (10) It will show at all times during an election how many persons have voted by a device hereinafter referred to as a public counter.
- (11) The counter indicating the number of votes cast for each person and for or against each public question cannot be seen or tampered with without unlocking a covering device that cannot be unlocked by a key that unlocks any other part of the machine. When such counters are so exposed the machine can no longer be placed into condition for operation without the use of a special key, which key shall not have been in the possession of the election officers at the polling places; but if this requirement has the effect of eliminating from consideration any other make of machine such requirement shall not apply.
- (12) The operating device and operating mechanism may be locked before the time for opening the polls and after the time for closing the polls.
- (13) It is accompanied by a mechanical model illustrating the manner of voting on the machine, suitable for the instruction of voters.
- (14) It will permit a voter to vote for all the candidates for presidential electors of any party by one (1) operation.
- (15) It will permit a voter to vote, in any regular or special election, for any person desired to be voted for whose name does not appear upon the voting machine.
- (16) It bears a number that will distinguish it from any other machine.

- (17) The frames in which ballot labels are placed shall be constructed with transparent protective devices, in order that the names thereon cannot be mutilated or altered.

**Effective:** March 10, 1976

**History:** Amended 1976 Ky. Acts ch. 54, sec. 21, effective March 10, 1976. -- Created 1974 Ky. Acts ch. 130, sec. 26, effective June 21, 1974.