

117.295 Period machines to remain locked -- Custody of keys.

- (1) For a period of ten (10) days following any primary election, and for a period of thirty (30) days following any general or special election, the voting machine shall remain locked against voting and the ballot boxes containing all paper ballots shall remain locked, except that the voting machines and the ballot boxes may be opened and all the data and figures therein examined, upon the order of any court of competent jurisdiction, or judge thereof, or by direction of any legislative committee authorized and empowered to investigate and report upon contested elections, and all the data and figures shall be examined by the court, judge, or committee in the presence of the officer having the custody of the machine and ballot boxes. In the event of a contest of election, the court in which the contest is pending or the committee before which the contest is being heard may, upon motion of any party to the contest, issue an order requiring that the voting machines and ballot boxes shall remain continuously locked for further time as may be reasonable or necessary, with due regard for the preparation of the machines for a succeeding primary, regular, or special election, but in no event shall the order compel that the machines remain locked to a time within thirty (30) days next preceding any approaching primary, regular, or special election.
- (2) During the period when the machine and the ballot boxes are required to be kept locked, the keys thereto shall remain in the possession of the county board of elections. After that period, it shall be the duty of the county board of elections to return the keys to the custody of the county clerk.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 176, sec. 9, effective July 15, 2010. -- Amended 2008 Ky. Acts ch. 129, sec. 5, effective July 15, 2008. -- Amended 1992 Ky. Acts ch. 288, sec. 37, effective July 14, 1992. -- Created 1974 Ky. Acts ch. 130, sec. 43, effective June 21, 1974.

Legislative Research Commission Note (7/15/2008). 2008 Ky. Acts ch. 129 eliminated the runoff primary in elections for Governor and Lieutenant Governor. In Section 5 of that Act (this statute), a reference to "runoff primary" that was not deleted by the drafter has been deleted in codification as a manifest clerical or typographical error by the Reviser of Statutes.