

### **116.035 Determination of voter's residence.**

The following rules, so far as applicable, shall be observed in determining the residence of a person offering to vote:

- (1) A voter's residence shall be deemed to be at the place where his or her habitation is, and to which, when absent, he or she has the intention of returning. For a person who is homeless and lacks an established and fixed nighttime residence of regular return, he or she may elect a location with a fixed address as a place of habitation, which shall be considered his or her residence, and may include the following:
  - (a) A supervised publicly or privately operated shelter designed to provide temporary living accommodations; or
  - (b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- (2) A voter shall not lose his or her residence by absence for temporary purposes merely; nor shall he or she obtain a residence by being in a county or precinct for such temporary purposes, without the intention of making that county or precinct his or her home;
- (3) A voter shall lose his or her residence by removal to another state or county with intention to make his or her permanent residence there, or by removal to and residence in another state, with intention to reside there an indefinite time, or by voting there, even though he or she may have had the intention to return to this state at some future period;
- (4) The place where the family of a married person resides shall generally be considered his or her residence, unless the family so resides for a temporary purpose. If his family is permanently in one (1) place, and he or she transacts business in another, the former shall be the residence.

**Effective:** June 29, 2021

**History:** Amended 2021 Ky. Acts ch. 197, sec. 78, effective June 29, 2021. -- Amended 2002 Ky. Acts ch. 63, sec. 2, effective July 15, 2002. -- Created 1974 Ky. Acts ch. 130, sec. 3, effective June 21, 1974.