

117.015 State Board of Elections -- Powers, duties, membership.

- (1) There shall be a State Board of Elections that is an independent agency of state government, which shall administer the election laws of the state and supervise registration and purgation of voters within the state. The board:
 - (a) May promulgate administrative regulations necessary to properly carry out its duties;
 - (b) Shall promulgate administrative regulations establishing a procedure for elections officials to follow when an election has been suspended or delayed as described in KRS 39A.100; and
 - (c) Shall be prohibited from accepting any private monetary funds for election administration unless accepted as a part of a valid contract for goods and services.
- (2) The State Board of Elections shall consist of the following:
 - (a) The Secretary of State, who shall be:
 1. A nonvoting member, except in cases of casting a determinative vote, if a vote taken by the board would otherwise result in a tie;
 2. The chief election official for the Commonwealth; and
 3. The chair of the board who shall preside at the meetings of the board;
 - (b) Two (2) voting members appointed by the Governor as provided in subsection (5) of this section;
 - (c) Six (6) voting members appointed by the Governor as provided in subsection (4) of this section; and
 - (d) An executive director appointed in accordance with KRS 117.025 who is a nonvoting member.
- (3) The appointed members shall serve for a term of four (4) years or until their successors are appointed. Members shall be at least twenty-five (25) years of age and qualified voters of this state. No appointed member shall be a candidate for public office or have been a candidate for public office for two (2) years prior to his or her appointment, except as provided in subsection (2)(b) of this section. No member of the board shall have been convicted of any election law offense.
- (4) Two (2) members shall be appointed by the Governor from a separate list of at least five (5) names submitted by the state central executive committee of each of the two (2) political parties that polled the largest vote in the last preceding election for state officials. The list shall be submitted to the Governor by February 15 of 1992, and the appointments of the Governor shall be made by April 1 of the same year. Two (2) separate lists shall be submitted to the Governor by August 15 of 1990 and every four (4) years thereafter, and two (2) appointments shall be made from these lists by September 15 of each year in which the lists are received.
- (5) Two (2) members shall be appointed by the Governor from a separate list of at least four (4) names submitted by the Kentucky County Clerk's Association of each of the two (2) political parties that polled the largest vote in the last preceding regular election for state officials. Each of the two (2) members appointed under this

subsection shall be former county clerks. The lists required under this subsection shall be submitted to the Governor by July 15, 2019, and every four (4) years thereafter. The appointments made by the Governor under this subsection shall be made by August 15, 2019, and every four (4) years thereafter.

- (6) Vacancies shall be filled in the same manner as provided for original appointments, and the person appointed to fill the vacancy shall be of the same political party as his or her predecessor.
- (7) The board shall meet as often as necessary to carry out its duties and shall keep a record of its acts, orders, findings, and proceedings. A majority of the board shall constitute a quorum.
- (8) The members of the board shall be paid a reasonable sum to be fixed by the secretary of the Personnel Cabinet, with the approval of the secretary of the Finance and Administration Cabinet, and in addition, their expenses in attending board meetings. The compensation shall be paid out of the State Treasury upon requisition signed by the chair of the board and approved by the secretary of the Finance and Administration Cabinet.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 23, sec. 4, effective July 14, 2022; and ch. 219, sec. 6, effective July 14, 2022. -- Amended 2020 Ky. Acts ch. 88, sec. 3, effective July 15, 2020. -- Amended 2019 Ky. Acts ch. 23, sec. 2, effective March 19, 2019. -- Amended 2005 Ky. Acts ch. 91, sec. 2, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 154, sec. 74, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 293, sec. 1, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 341, sec. 24, effective July 15, 1988. -- Amended 1982 Ky. Acts ch. 457, sec. 1, effective July 15, 1982. -- Created 1974 Ky. Acts ch. 130, sec. 18, effective June 21, 1974.

Legislative Research Commission Note (7/14/2022). This statute was amended by 2022 Ky. Acts chs. 23 and 219, which do not appear to be in conflict and have been codified together.

Legislative Research Commission Note (7/14/2022). 2022 Ky. Acts ch. 23, sec. 6, provided that that Act, which amended this statute, may be cited as the Stop Outside Influence Over Elections Act of 2022.