

117.215 Procedure when equipment no longer operates during election -- Counting of votes -- Backup voting equipment or paper ballots for emergency use.

- (1) If, during the conduct of an election, voting equipment, or any part of a voting system, no longer operates in a manner that will comply with the provisions of this chapter, the election officers shall lock or seal the voting equipment to prevent further voting thereon and record the numbers shown by the public counter. Then the election officers shall secure from the county clerk reserve voting equipment, prepared and made ready for use as provided in KRS 117.205, and proceed to conduct the election. When the polls are closed both the original and reserve voting equipment shall be examined and the votes thereon registered shall be counted as provided in KRS 117.275, and the aggregate number of votes cast on all voting equipment for each candidate and on each question shall be certified as the result of the primary or election in that precinct.
- (2) If an emergency should arise due to the malfunction of the voting equipment, the county clerk shall provide backup voting equipment, or paper ballots for use at the precinct and a ballot box in which to deposit the voted ballots. The ballot box shall be locked with two (2) locks and the judges of the precinct shall each hold the key to one (1) lock. At the close of voting, the paper ballots shall be counted at the precinct or a central counting center and added to the votes cast using voting equipment. The aggregate of these votes shall be certified as the result of the election in that precinct.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 197, sec. 27, effective June 29, 2021. -- Amended 1990 Ky. Acts ch. 48, sec. 26, effective July 13, 1990. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 6, effective March 19, 1977. -- Created 1974 Ky. Acts ch. 130, sec. 35, effective June 21, 1974.