

1 AN ACT relating to the election of board members of library districts.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS 173.450 TO 173.650 IS CREATED  
4 TO READ AS FOLLOWS:

- 5 (1) Except as provided in KRS 173.450 to 173.650, election of board members of a  
6 district operating under KRS 173.450 to 173.650 shall be governed by KRS  
7 Chapters 116 to 121.
- 8 (2) Library board members shall be elected at large by the voters of the district at a  
9 regular election on a nonpartisan basis.
- 10 (3) In those districts operating under KRS 173.450 to 173.650 and consisting of more  
11 than one (1) county:
- 12 (a) The fiscal court of each county having representation on the board shall  
13 certify by resolution to the county board of elections the number of seats  
14 subject to election from that county, as determined under Section 2 of this  
15 Act; and
- 16 (b) In the event of a dispute as to proper apportionment of seats among the  
17 counties, the fiscal court of any affected county may file an action in a  
18 Circuit Court of competent jurisdiction.
- 19 (4) Nominating petitions shall be filed with the clerk of the county in which the  
20 district lay, or, in a district the boundaries of which are in more than one (1)  
21 county, with the clerk of the county in which the candidate resides, as provided in  
22 Sections 7 and 8 of this Act.
- 23 (5) On the day following the candidate filing deadline under Section 8 of this Act,  
24 each county clerk shall certify the names of all candidates for the library board  
25 that filed nomination papers with him or her and to the clerk of the other county  
26 or counties into which the boundaries of the district extend.
- 27 (6) The county clerk shall cause the names of all nominees on behalf of whom

1 nominating petitions have been filed under this section to be presented to the  
2 voters at the regular election as provided in KRS 117.145. The election of board  
3 members shall be governed by KRS Chapter 118 for the conduct of regular  
4 elections, except that the cost of placing the names of the nominees before the  
5 voters shall be borne by the district.

6 (7) No election officer or other person within a voting room or area where voting is  
7 being conducted shall disclose to a voter the political affiliation of any candidate.

8 (8) Each voter may vote for as many candidates as there are members to be elected,  
9 and the instruction "vote for up to .... candidates" shall be used. The candidates,  
10 in number equal to the number of members to be chosen, who have received the  
11 highest number of votes shall be elected.

12 (9) (a) Each board member of a district operating under KRS 173.450 to 173.650  
13 shall serve a four (4) year term beginning on the first Monday in January  
14 after their election, except as set out in paragraph (c) of this subsection.

15 (b) Unless previously removed for cause in the last four (4) years, a board  
16 member of the district may seek reelection to the board. No person shall be  
17 elected to more than two (2) consecutive terms. Terms shall be considered  
18 consecutive unless the terms are separated by a period of four (4) or more  
19 years. Appointment to fill a vacancy of a member's unexpired term shall not  
20 be considered a term for the purposes of this paragraph.

21 (c) 1. For elections occurring in 2022 in a district consisting of one (1)  
22 county, three (3) of the members shall be elected for four (4) year  
23 terms, and two (2) of the members shall be elected for two (2) year  
24 terms. The specific members' terms shall be determined by lot by the  
25 Department for Libraries and Archives;

26 2. For elections occurring in 2022 in a district consisting of more than  
27 one (1) county:

- 1           a. For boards containing an even number of members, one half  
2           (1/2) of the members shall be elected for four (4) year terms, and  
3           one half (1/2) of the members shall be elected for two (2) year  
4           terms. The specific members' terms shall be determined by lot by  
5           the Department for Libraries and Archives; and
- 6           b. For boards containing an odd number of members, one half  
7           (1/2) of the board members of the entire membership of the  
8           board shall serve for four (4) year terms, one half (1/2) shall  
9           serve for two (2) year terms, and the remaining member shall  
10           serve a for a four (4) year term. The specific members' terms  
11           shall be determined by lot by the Department for Libraries and  
12           Archives.
- 13           3. For any election after 2022 where a county joins an already  
14           established district, any member or members elected for the first time  
15           shall serve for a term of no longer than four (4) years. The term  
16           length shall be determined by the Department for Libraries and  
17           Archives to maintain as closely as practical the ratio for staggered  
18           terms established in subparagraph 2. of this paragraph in  
19           consideration of the number of board members, and in consideration  
20           of the timing of future regular elections.
- 21           (10) If no candidate files a petition of nomination for a library board seat, or if there  
22           are fewer candidates than there are seats to be filled, the vacancy in candidacy  
23           shall be filled by write-in voting. If all seats are not filled at the regular election,  
24           then a vacancy shall exist on January 1 and shall be filled pursuant to Section  
25           152 of the Constitution of Kentucky. If the district is larger than one (1) county,  
26           the vacancy shall be filled by the Governor. Vacancies in all other districts shall  
27           be filled by the county judge/executive of the county where the vacancy occurred.

1 (11) (a) Any member of a board of a district operating under KRS 173.450 to  
 2 173.650, may be removed from the board for misconduct, incapacity, or  
 3 willful neglect in the performance of his or her duties by a unanimous vote  
 4 of the members of the board exclusive of any member to be removed, who  
 5 shall not vote in the deliberation of his or her removal.

6 (b) A member shall not be removed without having been given the right to a  
 7 full public hearing.

8 (c) The member, if removed, shall have the right to appeal to the Circuit Court  
 9 of the county of the member's residence, and the appeal shall be on the  
 10 record.

11 (d) A member removed under this subsection shall not be eligible to fill the seat  
 12 vacated before the expiration of the term to which originally elected or  
 13 appointed under subsections (9) and (10) of this section.

14 (e) A vacancy that occurs as a result of removal under this subsection shall be  
 15 filled pursuant to Section 152 of the Constitution of Kentucky. If the district  
 16 is larger than one (1) county, the vacancy shall be filled by the Governor.  
 17 Vacancies in all other districts shall be filled by the county judge/executive  
 18 of the county wherein the vacancy occurred.

19 ➔Section 2. KRS 173.480 is amended to read as follows:

20 (1) Upon the creation of a district, the fiscal court of each county in the district shall at  
 21 once notify the Department for Libraries and Archives of the establishment of the district  
 22 and shall forward to the department a copy of the petition required pursuant to KRS  
 23 173.470. The Department for Libraries and Archives shall then recommend to the county  
 24 judge/executive of each county in the district the names of suitable persons from among  
 25 the signers of the petition to be appointed to the board. The Department for Libraries and  
 26 Archives in recommending persons to the county judge/executive for appointment to the  
 27 board shall recommend twice as many persons for each county as the county is entitled to

1 ~~have members appointed, and the county judge/executive shall immediately, with the~~  
2 ~~approval of the fiscal court, make the selection from those recommended].~~

3 **(2)** Where the district consists of one (1) county, the voters of the county  
4 ~~[judge/executive]~~ shall elect~~[appoint]~~ five (5) persons from that county pursuant to  
5 Section 1 of this Act to serve as board members.

6 **(3)** The Department for Libraries and Archives shall prescribe by administrative  
7 regulation promulgated under KRS Chapter 13A the number of board members  
8 when the district consists of more than one (1) county, provided that the board shall  
9 consist of not fewer~~[less]~~ than one (1) nor more than four (4) members from each  
10 county, each county having such number of members as the proportion of its  
11 population bears to the total population in the district, and that the total membership  
12 of the board consists of not fewer~~[less]~~ than five (5) members.

13 **(4)** Where a county joins an already established district, the Department for Libraries  
14 and Archives shall determine the number of board members to be elected from the  
15 newly joining county as provided in subsection (3) of this section~~[, from among~~  
16 ~~the signers of the petition, recommend to the county judge/executive of each county~~  
17 ~~included in the new district for the first time twice as many persons for appointment~~  
18 ~~to the board as the county is entitled to have appointed, and the county~~  
19 ~~judge/executive shall select the members for the county from this list. The terms of~~  
20 ~~the members of the counties composing the previously existing district shall expire~~  
21 ~~immediately upon the organization of the new board and such vacancies shall be~~  
22 ~~filled as provided in KRS 173.490].~~

23 ➔SECTION 3. A NEW SECTION OF KRS 173.710 TO 173.800 IS CREATED  
24 TO READ AS FOLLOWS:

25 **(1) Except as provided in KRS 173.710 to 173.800, election of board members of a**  
26 **district operating under KRS 173.710 to 173.800 shall be governed by KRS**  
27 **Chapters 116 to 121.**

- 1 (2) Library board members shall be elected at large by the voters of the district at a  
2 regular election on a nonpartisan basis.
- 3 (3) In those districts operating under KRS 173.710 to 173.800 and consisting of more  
4 than one (1) county:
- 5 (a) The fiscal court of each county having representation on the board shall  
6 certify by resolution to the county board of elections the number of seats  
7 subject to election from that county, as determined under Section 4 of this  
8 Act; and
- 9 (b) In the event of a dispute as to proper apportionment of seats among the  
10 counties, the fiscal court of any affected county may file an action in a  
11 Circuit Court of competent jurisdiction.
- 12 (4) Nominating petitions shall be filed with the clerk of the county in which the  
13 district lay, or, in a district the boundaries of which are in more than one (1)  
14 county, with the clerk of the county in which the candidate resides, as provided in  
15 Sections 7 and 8 of this Act.
- 16 (5) On the day following the candidate filing deadline under Section 8 of this Act,  
17 each county clerk shall certify the names of all candidates for the library board  
18 that filed nomination papers with him or her and to the clerk of the other county  
19 or counties into which the boundaries of the district extend.
- 20 (6) The county clerk shall cause the names of all nominees on behalf of whom  
21 nominating petitions have been filed under this section to be presented to the  
22 voters at the regular election as provided in KRS 117.145. The election of board  
23 members shall be governed by KRS Chapter 118 for the conduct of regular  
24 elections, except that the cost of placing the names of the nominees before the  
25 voters shall be borne by the district.
- 26 (7) No election officer or other person within a voting room or area where voting is  
27 being conducted shall disclose to a voter the political affiliation of any candidate.

1 (8) Each voter may vote for as many candidates as there are members to be elected,  
2 and the instruction "vote for up to .... candidates" shall be used. The candidates,  
3 in number equal to the number of members to be chosen, who have received the  
4 highest number of votes shall be elected.

5 (9) (a) Each board member of a district operating under KRS 173.710 to 173.800  
6 shall serve a four (4) year term beginning on the first Monday in January  
7 after their election, except as set out in paragraph (c) of this subsection.

8 (b) Unless previously removed for cause in the last four (4) years, a board  
9 member of the district may seek reelection to the board. No person shall be  
10 elected to more than two (2) consecutive terms. Terms shall be considered  
11 consecutive unless the terms are separated by a period of four (4) or more  
12 years. Appointment to fill a vacancy of a member's unexpired term shall not  
13 be considered a term for the purposes of this paragraph.

14 (c) 1. For elections occurring in 2022 in a district consisting of one (1)  
15 county, three (3) of the members shall be elected for four (4) year  
16 terms, and two (2) of the members shall be elected for two (2) year  
17 terms. The specific members' terms shall be determined by lot by the  
18 Department for Libraries and Archives;

19 2. For elections occurring in 2022 in a district consisting of more than  
20 one (1) county:

21 a. For boards containing an even number of members, one half  
22 (1/2) of the members shall be elected for four (4) year terms, and  
23 one half (1/2) of the members shall be elected for two (2) year  
24 terms. The specific members' terms shall be determined by lot by  
25 the Department for Libraries and Archives; and

26 b. For boards containing an odd number of members, one half  
27 (1/2) of the board members of the entire membership of the

1                   board shall serve for four (4) year terms, one half (1/2) shall  
2                   serve for two (2) year terms, and the remaining member shall  
3                   serve a for a four (4) year term. The specific members' terms  
4                   shall be determined by lot by the Department for Libraries and  
5                   Archives.

6                   3. For any election after 2022 where a county joins an already  
7                   established district, any member or members elected for the first time  
8                   shall serve for a term of no longer than four (4) years. The term  
9                   length shall be determined by the Department for Libraries and  
10                  Archives to maintain as closely as practical the ratio for staggered  
11                  terms established in subparagraph 2. of this paragraph in  
12                  consideration of the number of board members, and in consideration  
13                  of the timing of future regular elections.

14                  (10) If no candidate files a petition of nomination for a library board seat, or if there  
15                  are fewer candidates than there are seats to be filled, the vacancy in candidacy  
16                  shall be filled by write-in voting. If all seats are not filled at the regular election,  
17                  then a vacancy shall exist on January 1 and shall be filled pursuant to Section  
18                  152 of the Constitution of Kentucky. If the district is larger than one (1) county,  
19                  the vacancy shall be filled by the Governor. Vacancies in all other districts shall  
20                  be filled by the county judge/executive of the county where the vacancy occurred.

21                  (11) (a) Any member of a board of a district operating under KRS 173.710 to  
22                  173.800, may be removed from the board for misconduct, incapacity, or  
23                  willful neglect in the performance of his or her duties by a unanimous vote  
24                  of the members of the board exclusive of any member to be removed, who  
25                  shall not vote in the deliberation of his or her removal.

26                  (b) A member shall not be removed without having been given the right to a  
27                  full public hearing.



1 (c) The member, if removed, shall have the right to appeal to the Circuit Court  
 2 of the county of the member's residence, and the appeal shall be on the  
 3 record.

4 (d) A member removed under this subsection shall not be eligible to fill the seat  
 5 vacated before the expiration of the term to which originally elected or  
 6 appointed under subsections (9) and (10) of this section.

7 (e) A vacancy that occurs as a result of removal under this subsection shall be  
 8 filled pursuant to Section 152 of the Constitution of Kentucky. If the district  
 9 is larger than one (1) county, the vacancy shall be filled by the Governor.  
 10 Vacancies in all other districts shall be filled by the county judge/executive  
 11 of the county wherein the vacancy occurred.

12 ➔Section 4. KRS 173.725 is amended to read as follows:

13 (1) Upon the creation of a district, the fiscal court of each county in the district shall at  
 14 once notify the Department for Libraries and Archives of the establishment of the  
 15 district and shall forward to the department a copy of the petition required pursuant  
 16 to KRS 173.720. ~~{The Department for Libraries and Archives shall then recommend~~  
 17 ~~to the county judge/executive of each county in the district the names of suitable~~  
 18 ~~persons from among the signers of the petition to be appointed to the board. The~~  
 19 ~~Department for Libraries and Archives in recommending persons to the county~~  
 20 ~~judge/executive for appointment to the board shall recommend twice as many~~  
 21 ~~persons for each county as the county is entitled to have members appointed, and~~  
 22 ~~the county judge/executive shall, with the approval of the fiscal court, immediately~~  
 23 ~~make the selection from those recommended. }~~

24 (2) Where the district consists of one (1) county, the voters of the county  
 25 ~~{judge/executive}~~ shall elect~~{appoint}~~ five (5) persons from that county pursuant to  
 26 Section 3 of this Act to serve as board members.

27 (3) The Department for Libraries and Archives shall prescribe by administrative

1 regulation the number of board members when the district consists of more than one  
 2 (1) county, provided that the board shall consist of not *fewer*~~[less]~~ than one (1) nor  
 3 more than four (4) members from each county, each county having such number of  
 4 members as the proportion of its population bears to the total population in the  
 5 district, and that the total membership of the board consists of not *fewer*~~[less]~~ than  
 6 five (5) members.

7 **(4)** Where a county joins an already established district, the Department for Libraries  
 8 and Archives shall *determine the number of board members to be elected from the*  
 9 *newly joining county as provided in subsection (3) of this section*~~[, from among~~  
 10 ~~the signers of the petition, recommend to the county judge/executive of each county~~  
 11 ~~included in the new district for the first time twice as many persons for appointment~~  
 12 ~~to the board as the county is entitled to have appointed, and the county~~  
 13 ~~judge/executive shall select the members for the county from this list. The terms of~~  
 14 ~~the members of the counties composing the previously existing district shall expire~~  
 15 ~~immediately upon the organization of the new board and such vacancies shall be~~  
 16 ~~filled as provided in KRS 173.730.~~

17 ~~(2) In making recommendations and appointments under subsection (1) of this section~~  
 18 ~~and KRS 173.730, the Department for Libraries and Archives and the county~~  
 19 ~~judge/executive shall attempt to assure, to the extent permitted by the county's~~  
 20 ~~entitlement to board members, that the board includes members from different~~  
 21 ~~geographical areas, and from both cities and unincorporated areas, of the county].~~

22 ➔Section 5. KRS 173.650 is amended to read as follows:

23 The results of the election, *other than the election for library board members as set out*  
 24 *in Section 1 of this Act,* in each county shall be certified by the county election  
 25 commissioners to the county judge/executive in each county. When more than one (1)  
 26 county is involved the county judges/executive shall certify the results in their respective  
 27 counties to the county judge/executive of the county having the largest voting population.

1           ➔Section 6. KRS 118.305 is amended to read as follows:

- 2       (1) Except as provided in KRS 118.345, and subject to the provisions of subsections  
3           (2), (3), and (4) of this section, the county clerk of each county shall cause to be  
4           printed for the voting machines and on the absentee ballots for the regular election  
5           the names of the following persons:
- 6           (a) Candidates of a political party, as defined in KRS 118.015, who have received  
7           certificates of nomination at the preceding primary, or certificates of  
8           nomination under KRS 118.185, and whose certificates of nomination have  
9           been filed with the Secretary of State or the appropriate county clerk;
- 10          (b) Candidates of a political party, as defined in KRS 118.015, who have been  
11          nominated for an unexpired term in a manner determined by the governing  
12          authority of the party, as provided in KRS 118.115, and whose evidences of  
13          nomination have been filed with the Secretary of State or the appropriate  
14          county clerk within the time prescribed in this chapter;
- 15          (c) Candidates of a political party, as defined in KRS 118.015, who have been  
16          nominated by the governing authority of the party to fill a vacancy in the  
17          candidacy of a person nominated at the preceding primary election, as  
18          provided in KRS 118.105, and whose certificates of nomination have been  
19          filed with the Secretary of State or the appropriate county clerk, by at least the  
20          date provided by the election law generally for such filing;
- 21          (d) Candidates who have been nominated by a political organization as provided  
22          in KRS 118.325 and whose certificates or petitions of nomination have been  
23          filed with the Secretary of State or the appropriate county clerk within the  
24          time prescribed in this chapter;
- 25          (e) Independent candidates who have been nominated by petition as provided in  
26          KRS 118.315, and whose petitions of nomination have been filed with the  
27          Secretary of State or the appropriate county clerk within the time prescribed in

1           this chapter;

2           (f) Successful nominees of all nonpartisan primaries which shall have been  
3           conducted;

4           (g) Candidates who have filed a petition of candidacy as shall be required to fill a  
5           vacancy which shall appear on the ballot;

6           (h) The county clerk shall determine whether the name of any replacement  
7           candidate who has been nominated as provided in KRS 118.105(5) may be  
8           placed on the machine ballot or ballot cards and whether the voting machine  
9           may be reprogrammed to count the votes cast for that candidate or whether the  
10          ballot or ballot cards must be reprinted to accommodate votes cast for any  
11          replacement candidate and shall take the appropriate action to accommodate  
12          the replacement of any candidate. If the county clerk determines that the name  
13          of any replacement candidate cannot be accommodated on the existing ballot  
14          or ballot cards and if there is insufficient time before the election to reprint the  
15          entire ballot, the county clerk shall request approval to use supplemental paper  
16          ballots for voting for that office only in the same manner as permitted for  
17          other situations as provided in KRS 118.215(5), and, if approved, shall have  
18          an adequate number of supplemental paper ballots printed for voting for that  
19          office and only votes cast for that office by means of the supplemental paper  
20          ballots shall be tabulated and recorded by the precinct election officers and  
21          county board of elections. All actions by a county clerk, the State Board of  
22          Elections, and the Secretary of State which are necessary to provide for voting  
23          at a regular election for candidates nominated pursuant to KRS 118.105(5)  
24          shall be carried out with all possible speed. When a candidate has been  
25          replaced as provided in KRS 118.105(5) after absentee ballots have been  
26          printed and distributed for the regular election, neither the precinct election  
27          officers nor the county board of elections shall tabulate or record any absentee

1 votes cast for the candidate who was replaced. If ballots are reprinted or  
2 supplemental paper ballots are printed, or if voting machines must be  
3 reprogrammed to count the votes cast for a replacement candidate, the costs  
4 for the printing and reprogramming shall be paid by the political party who  
5 has nominated a replacement candidate, or proportionately by each political  
6 party if each party nominates a replacement candidate;

7 (i) Candidates for President and Vice President of the United States, of those  
8 political parties and organizations who have nominated presidential electors as  
9 provided in KRS 118.325, if the certificate of nomination of the electors has  
10 been filed with the Secretary of State within the time prescribed in this  
11 chapter;

12 (j) Candidates for soil and water district supervisors who have been nominated  
13 by petition as provided in KRS 262.210;

14 **(k) Candidates for library district boards who have been nominated by petition**  
15 **as provided in KRS Chapter 173;** and

16 ~~(L)(k)~~ Candidates for city office for which no nonpartisan primary has been  
17 conducted in a city which requires nonpartisan city elections.

18 (2) Any candidate for city office who is defeated in a partisan or nonpartisan primary  
19 shall be ineligible as a candidate for the same office in the regular election.

20 (3) Candidates for members of boards of education shall have their names printed on  
21 ballot labels and absentee ballots for the regular election only after filing as  
22 provided in KRS 160.220.

23 (4) Except as provided in KRS 118.105 and 118.115, no candidate's name shall be  
24 printed upon the ballot labels and absentee ballots for any regular election as the  
25 nominee of any political party, as defined in KRS 118.015, or under the emblem of  
26 any political party, as so defined, except those candidates who have been duly and  
27 regularly nominated as nominees of that party at a primary held as provided in this

1 chapter.

2 (5) No county clerk shall knowingly cause to be printed, upon the ballot labels or  
3 absentee ballots for any regular election, the name of any candidate of a political  
4 party, as defined in KRS 118.015, who has not been nominated in the manner  
5 provided in the primary election laws or the name of any candidate who is not in  
6 compliance with the restrictions concerning party registration and candidacy  
7 provided in of KRS 118.315(1).

8 (6) The names of candidates for President and Vice President shall be certified in lieu  
9 of certifying the names of the candidates for presidential electors.

10 (7) When a vacancy occurs in an elective office which is required by law to be filled  
11 temporarily by appointment, the officer or body designated by law to make the  
12 appointment, or in the case of an office to be filled by appointment from a list of  
13 nominations, the officer or body designated by law to make the nominations, shall  
14 immediately notify in writing both the county clerk and Secretary of State of the  
15 vacancy.

16 (8) A judge who elected to retire as a Senior Status Special Judge in accordance with  
17 KRS 21.580 shall not become a candidate or a nominee for any elected office  
18 during the five (5) year term prescribed in KRS 21.580(1)(a)1., regardless of the  
19 number of days served by the judge acting as a Senior Status Special Judge.

20 ➔Section 7. KRS 118.315 is amended to read as follows:

21 (1) A candidate for any office to be voted for at any regular election may be nominated  
22 by a petition of electors qualified to vote for him or her, complying with the  
23 provisions of subsection (2) of this section. No person whose registration status is  
24 as a registered member of a political party shall be eligible to election as an  
25 independent, or political organization, or political group candidate, nor shall any  
26 person be eligible to election as an independent, or political organization, or  
27 political group candidate whose registration status was as a registered member of a

1 political party on January 1 immediately preceding the regular election for which  
2 the person seeks to be a candidate. This restriction shall not apply to candidates to  
3 those offices specified in KRS 118.105(7), for supervisor of a soil and water  
4 conservation district, for trustee of a public library district, for candidates for  
5 mayor or legislative body in cities of the home rule class, or to candidates  
6 participating in nonpartisan elections.

7 (2) The form of the petition shall be prescribed by the State Board of Elections. It shall  
8 be signed by the candidate and by registered voters from the district or jurisdiction  
9 from which the candidate seeks nomination. The petition shall include a declaration,  
10 sworn to by the candidate, that he or she possesses all the constitutional and  
11 statutory requirements of the office for which the candidate has filed. Signatures for  
12 a petition of nomination for a candidate seeking any office, excluding President of  
13 the United States in accordance with KRS 118.591(1), shall not be affixed on the  
14 document to be filed prior to the first Wednesday after the first Monday in  
15 November of the year preceding the year in which the office will appear on the  
16 ballot. Signatures for nomination papers shall not be affixed on the document to be  
17 filed prior to the first Wednesday after the first Monday in November of the year  
18 preceding the year in which the office will appear on the ballot. A petition of  
19 nomination for a state officer, or any officer for whom all the electors of the state  
20 are entitled to vote, shall contain five thousand (5,000) petitioners; for a  
21 representative in Congress from any congressional district, or for any officer from  
22 any other district except as herein provided, four hundred (400) petitioners; for a  
23 county officer, member of the General Assembly, or Commonwealth's attorney, one  
24 hundred (100) petitioners; for a soil and water conservation district supervisor, or  
25 for a public library district trustee, twenty-five (25) petitioners; for a city officer or  
26 board of education member, two (2) petitioners; and for an officer of a division less  
27 than a county, except as herein provided, twenty (20) petitioners. It shall not be

1 necessary that the signatures of the petition be appended to one (1) paper. Each  
2 petitioner shall include the date he or she affixes the signature, address of residence,  
3 and date of birth. Failure of a voter to include the signature affixation date, date of  
4 birth, and address of residence shall result in the signature not being counted. If any  
5 person joins in nominating, by petition, more than one (1) nominee for any office to  
6 be filled, he or she shall be counted as a petitioner for the candidate whose petition  
7 is filed first, except a petitioner for the nomination of candidates for soil and water  
8 conservation district supervisors may be counted for every petition to which his or  
9 her signature is affixed.

10 (3) Titles, ranks, or spurious phrases shall not be accepted on the filing papers and shall  
11 not be printed on the ballots as part of the candidate's name; however, nicknames,  
12 initials, and contractions of given names may be accepted as the candidate's name.

13 (4) The Secretary of State and county clerks shall examine the petitions of all  
14 candidates who file with them to determine whether each petition is regular on its  
15 face. If there is an error, the Secretary of State or the county clerk shall notify the  
16 candidate by certified mail within twenty-four (24) hours of filing.

17 (5) A judge who elected to retire as a Senior Status Special Judge in accordance with  
18 KRS 21.580 shall not become a candidate or a nominee for any elected office  
19 during the five (5) year term prescribed in KRS 21.580(1)(a)1., regardless of the  
20 number of days served by the judge acting as a Senior Status Special Judge.

21 ➔Section 8. KRS 118.365 is amended to read as follows:

22 (1) Certificates of nomination issued by the State Board of Elections shall be filed by  
23 that board with the Secretary of State immediately. The certificates issued by the  
24 county board of elections shall be filed by that board with the county clerk  
25 immediately.

26 (2) Petitions of nomination for candidates for city offices except as provided in KRS  
27 83A.047, for candidates for members of boards of education, ~~and~~ for candidates



1 for supervisors of soil and water conservation districts, and for candidates for  
2 trustees of public library districts shall be filed with the county clerk not earlier  
3 than the first Wednesday after the first Monday in November of the year preceding  
4 the year in which the office will appear on the ballot and not later than the first  
5 Tuesday after the first Monday in June preceding the day fixed by law for the  
6 holding of regular elections for the offices sought.

7 (3) Candidates for an office, the nomination to which is to be made by a convention  
8 pursuant to KRS 118.325(1) and (2), except for the office of electors of President  
9 and Vice President of the United States, shall file the statements required by KRS  
10 118.325(3), with the official designated in KRS 118.165 with whom notification  
11 and declaration are filed for the office, not earlier than the first Wednesday after the  
12 first Monday in November of the year preceding the year in which the office will  
13 appear on the ballot and not later than the first Tuesday after the first Monday in  
14 June preceding the regular election for the office sought.

15 (4) Certificates of nomination made by the governing authority of a political party  
16 within the meaning of KRS 118.015 or a political organization not constituting a  
17 political party within the meaning of KRS 118.015 but whose candidate received  
18 two percent (2%) of the vote of the state at the last preceding election for  
19 presidential electors to fill vacancies in office, as provided in KRS 118.115 and  
20 118.325, shall be filed as required with the Secretary of State or county clerk not  
21 earlier than the first Wednesday after the first Monday in November of the year  
22 preceding the year in which the offices will appear on the ballot and not later than  
23 the first Tuesday after the first Monday in June preceding the day fixed by law for  
24 the election of the person in nomination.

25 (5) Except as otherwise provided in this section, petitions of nomination shall be filed  
26 as required with the Secretary of State or county clerk not earlier than the first  
27 Wednesday after the first Monday in November of the year preceding the year in

1       which the offices will appear on the ballot and not later than the first Tuesday after  
2       the first Monday in June preceding the day fixed by law for the holding of regular  
3       elections for the offices sought. Certificates of nomination shall be filed with the  
4       Secretary of State or county clerk, as required by law, not earlier than the first  
5       Wednesday after the first Monday in November of the year preceding the year in  
6       which the offices will appear on the ballot and not later than the first Tuesday after  
7       the first Monday in June preceding the day fixed by law for the holding of regular  
8       elections for the offices sought. The filing of petitions of nomination for  
9       independent, or political organization, or political group candidates shall not be  
10      accepted by the Secretary of State or the county clerk if the candidate has not filed a  
11      statement-of-candidacy form as required by KRS 118.367.

12   (6) Petitions and certificates of nomination for electors of President and Vice President  
13      of the United States shall be filed with the Secretary of State not earlier than the  
14      first Wednesday after the first Monday in November of the year preceding the year  
15      in which there is an election for President and Vice President of the United States  
16      and not later than the Friday following the first Tuesday in September preceding the  
17      date fixed by law for the election of the electors.

18   (7) Petitions for recall elections or elections on public questions shall be filed as  
19      required with the county clerk not later than the second Tuesday in August  
20      preceding the day fixed by law for holding a regular election.

21   (8) Petitions of any kind named in this section, statements, and certificates of  
22      nomination shall be filed no later than 4 p.m. local time at the place of filing when  
23      filed on the last date on which papers are permitted to be filed.

24      ➔Section 9. The following KRS sections are repealed:

25   173.490 Terms of board members -- Appointment to fill vacancies -- Removal of  
26      members -- Advisory board.

27   173.730 Board members -- Terms -- Vacancies to be filled by persons recommended by

1 the board -- Removal of members -- Advisory board.

2 ➔Section 10. Whereas in order to synchronize the election of library district board  
3 members to the calendar of elections, and to preserve the appointment procedures for a  
4 smooth transition, Sections 1 to 9 of this Act shall be effective January 1, 2022.

5 ➔Section 11. The terms of library district board members appointed under KRS  
6 173.450 to 173.650 and KRS 173.710 to 173.800 shall terminate when the members  
7 elected pursuant to Section 1 and Section 3 of this Act are elected and qualified.