

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 119.205 is amended to read as follows:

4 (1) Any person who makes or offers to make an expenditure to any person, either to  
5 vote or withhold his vote, or to vote for or against any candidate or public question  
6 at an election shall be guilty of a Class D felony.

7 (2) Any person who solicits, accepts, or receives any such expenditure as payment or  
8 consideration for his vote, or the withholding of his vote, or to vote for or against  
9 any candidate or public question at an election shall be guilty of a Class D felony.

10 (3) Any person who makes or offers to make an expenditure to any person to sign a  
11 petition to have a public question placed on the ballot, or any person who solicits,  
12 accepts, or receives any such expenditure as payment or consideration to sign a  
13 petition to have a public question placed on the ballot, shall be guilty of a Class B  
14 misdemeanor.

15 (4) For purposes of this section, "expenditure" means any of the following when  
16 intended as payment or consideration for voting or withholding a vote, voting for or  
17 against any candidate or public question, or signing a petition to have a public  
18 question placed on the ballot:

19 (a) A payment, distribution, loan, advance, deposit, or gift of money or anything  
20 of value; or

21 (b) A contract, promise, or agreement, express or implied, whether or not legally  
22 enforceable, to make a payment, distribution, loan, advance, deposit, or gift of  
23 money or anything of value.

24 "Expenditure," as used in this section, shall not include the distribution of materials  
25 bearing the name, likeness, or other identification of a candidate, political party,  
26 committee, or organization, or position on a public question and not intended as  
27 payment or consideration for voting or withholding a vote, voting for or against any

1 candidate or public question, or signing a petition to have a public question placed  
2 on the ballot.

3 (5) (a) Any ~~candidate or~~ committee as defined in KRS 121.015, other than a  
4 candidate's campaign committee, or any person on a candidate's~~his~~ behalf,  
5 who pays any person, including campaign workers, for the purpose of  
6 transporting voters to the polls on the day of any primary, regular election, or  
7 special~~the~~ election, shall make all payments by check. All payments,  
8 regardless of amount, shall be reported to the Registry of Election Finance in  
9 the manner that the Registry shall provide by administrative regulation  
10 promulgated under KRS Chapter 13A.

11 (b) "Pays" as used in this subsection shall not include reimbursement of  
12 expenses actually incurred.

13 (c) Any person who knowingly violates any requirement of this subsection shall  
14 be guilty of a Class B misdemeanor.

15 (6) (a) No candidate or candidate's campaign committee shall pay any person,  
16 including campaign workers, for the purpose of transporting voters to the  
17 polls on the day of any primary, regular election, or special election.

18 (b) "Pay" as used in this subsection shall not include reimbursement of  
19 expenses actually incurred.

20 (c) Any person who knowingly violates any requirement of this subsection shall  
21 be guilty of a Class B misdemeanor.

22 (Z) In addition to the above provisions, a person may be convicted of a violation of this  
23 section pursuant to KRS 502.020.