

1 AN ACT proposing to amend Section 145 of the Constitution of Kentucky relating
2 to persons entitled to vote.

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

4 ➔Section 1. Are you in favor of amending Section 145 of the Kentucky
5 Constitution by replacing the language that prohibits idiots and insane persons from
6 voting with contemporary language that instead prohibits persons from voting who are
7 adjudicated to be mentally incompetent by a court of competent jurisdiction and such
8 adjudication has not been set aside, as stated below?

9 ➔Section 2. It is proposed that Section 145 of the Constitution of Kentucky be
10 amended to read as follows:

11 Every citizen of the United States of the age of eighteen years who has resided in
12 the state one year, and in the county six months, and the precinct in which he offers to
13 vote sixty days next preceding the election, shall be a voter in said precinct and not
14 elsewhere but the following persons are excepted and shall not have the right to vote.

15 1. Persons convicted in any court of competent jurisdiction of treason, or felony,
16 or bribery in an election, or of such high misdemeanor as the General Assembly may
17 declare shall operate as an exclusion from the right of suffrage, but persons hereby
18 excluded may be restored to their civil rights by executive pardon.

19 2. Persons who, at the time of the election, are in confinement under the
20 judgment of a court for some penal offense.

21 3. ***Persons adjudicated to be mentally incompetent by a court of competent***
22 ***jurisdiction and such adjudication has not been set aside***~~[Idiots and insane persons].~~

23 ➔Section 3. This amendment shall be submitted to the voters of the
24 Commonwealth for their ratification or rejection at the time and in the manner provided
25 for under Sections 256 and 257 of the Constitution, KRS 118.415, and Sections 4 and 5
26 of this Act.

27 ➔Section 4. Notwithstanding any language in KRS 118.415 to the contrary, the

1 Secretary of State shall cause the entirety of the question in Section 1 of this Act and the
2 entirety of the proposed amendment to the Constitution of Kentucky contained in Section
3 2 of this Act to be published at least one time in a newspaper of general circulation
4 published in this state, and shall also cause to be published at the same time and in the
5 same manner the fact that the amendment will be submitted to the voters for their
6 acceptance or rejection at the next regular election at which members of the General
7 Assembly are to be voted for. The publication required by this section and KRS 118.415
8 shall be made no later than the first Tuesday in August preceding the election at which the
9 amendment is to be voted on.

10 ➔Section 5. Notwithstanding any language in KRS 118.415 to the contrary, the
11 Secretary of State, not later than the second Monday after the second Tuesday in August
12 preceding the next regular election at which members of the General Assembly are to be
13 chosen in a year in which there is not an election for President and Vice President of the
14 United States, or not later than the Thursday after the first Tuesday in September
15 preceding a regular election in a year in which there is an election for President and Vice
16 President of the United States, shall certify the entirety of the question in Section 1 of this
17 Act and the entirety of the proposed amendment to the Constitution of Kentucky
18 contained in Section 2 of this Act to the county clerk of each county, and the county clerk
19 shall have the entirety of the question and the amendment, as so certified, indicated on the
20 ballots provided to the voters in paper or electronic form as applicable to the voting
21 machines in use in each county or precinct.