

Kentucky 117.235 Persons permitted in voting room --Prohibited activities -- Exit polls permitted -- Maintenance of order -- Mock elections for school children -- Display of political campaign signs on private property.

(1) No person, other than the election officers, challengers, person assisting voters in accordance with KRS 117.255(3), and a minor child in the company of a voter, shall be permitted within the voting room while the vote is being polled, except as follows:

(a) For the purpose of voting;

(b) By authority of the election officers to keep order and enforce the law;

(c) With the express approval of the county board of elections to repair or replace voting equipment that is malfunctioning and to provide additional voting equipment; or

(d) At the voter's discretion, a minor child in the company of a voter may accompany the voter into a voting booth or other private area provided for casting a vote.

(2) No officer of election shall do any electioneering on election day.

(3) (a) No person shall electioneer at the polling place on the day of any election, as established in KRS 118.025, within a distance of one hundred (100) feet of any entrance to a building in which a voting machine is located if that entrance is unlocked and is used by voters on election day.

(b) No person shall electioneer within the interior of a building or affix any electioneering materials to the exterior or interior of a building where the county clerk's office is located, or any building designated by the county board of elections and approved by the State Board of Elections for absentee voting, during the hours absentee voting is being conducted in the building by the county clerk pursuant to KRS 117.085(1)(c).

(c) Electioneering shall include the displaying of signs, the distribution of campaign literature, cards, or handbills, the soliciting of signatures to any petition, or the solicitation of votes for or against any bona fide candidate or ballot question in a manner which expressly advocates

the election or defeat of the candidate or expressly advocates the passage or defeat of the ballot question, but shall not include exit polling, bumper stickers affixed to a person's vehicle while parked within or passing through a distance of one hundred (100) feet of any entrance to a building in which a voting machine is located, private property as provided in subsection (7) of this section, or other exceptions established by the State Board of Elections through the promulgation of administrative regulations.

(4) No voter shall be permitted to converse with others while in any room in which voting, including absentee voting, is conducted concerning their support or nonsupport of any candidate, party, or issue to be voted on, except as provided in KRS 117.255.

(5) Any precinct election officer, county clerk, deputy county clerk, or any law enforcement official may enforce the election laws and maintain law and order at the polls and within one hundred (100) feet of any entrance to the building in which the voting machine is located if that entrance is unlocked and is used by voters. Assistance may be requested of any law enforcement officer.

(6) Notwithstanding the provisions of subsection (1) of this section, the State Board of Elections may establish a program designed to instill in school children a respect for the democratic principles of voting by conducting in any county a mock election for school children in conjunction with any primary, or regular or special election. The State Board of Elections shall promulgate administrative regulations regarding the mock elections to insure that the regular voting process will not be impaired.

(7) Notwithstanding the provisions of subsection (3) of this section, nothing in this section shall prohibit the displaying of political campaign signs on private property or private establishments by a person having a leased or ownership interest in that private property or private establishment within the campaign-free zone, regardless of the distance from the polling place. In the case of a polling location being on private property that is leased or otherwise under contract for

the purpose of serving as a polling location, the provisions of subsection (3) of this section shall be applicable to that leased or contracted for private property.

Effective:
July 15, 2016

Kentucky 117.315 Appointment of challengers and inspectors.

(1) Each political party is entitled to have not exceeding two (2) challengers at each precinct during the holding of the primary election. Any group of bona fide candidates, as defined in KRS 118.176, of the same political party equal to twenty-five percent (25%) of all the candidates for that party to be voted for in a county in any primary, including state, district, and all other candidates, may recommend to the county committee or governing authority of the party for the county a list of persons whom they desire to have appointed as challengers in each precinct in the county. If more than two (2) such lists are furnished, the committee or governing authority, in making appointments of challengers, shall alternate between the several lists so furnished so as to give to each list an equal amount or proportion of the appointments, but in no event shall there be appointed more than one (1) challenger for any precinct from any one (1) list. The list of challengers shall be presented to the chair or secretary of the party committee of the county on or before the third Friday in April preceding the primary, and the committee or the chairman thereof shall make the appointments, certify to same, and present a list of certified challengers to the county clerk at least twenty (20) days before the date on which the primary is held. The appointment of challengers shall be certified in all respects as challengers at regular elections, except as otherwise provided in this section. The challengers shall be registered voters of the county in which the primary is held and shall be subject to the same penalties and possess the same rights and privileges as challengers at regular elections, except that the challengers of one political party

shall not be entitled to challenge persons who offer to vote for candidates of any other party in the primary. The provisions of this section shall be enforceable against the chair of the political party committees by a mandatory summary proceeding instituted in the Circuit Court. The order of the court may be reviewed by the Court of Appeals as provided for the granting or dissolving of temporary injunctions.

(2) Any school board candidate, any independent ticket or candidate for city office, any nonpartisan city candidate, or candidate for an office of the Court of Justice at the primary or regular election may designate not more than one (1) challenger to be present at and witness the holding of primaries or elections in each precinct in the county. A candidate who designates a challenger shall present the county clerk with the name of the challenger at least twenty (20) days preceding the primary or regular election. The challenger shall be entitled to stay in the room or at the door. The challenger shall be a registered voter of the county in which the primary or election is held, shall be appointed in writing by the chair of the committee, independent candidate, or candidates representing a ticket, and shall produce written appointment on demand of any election officer.

(3) The county executive committee of any political party having a ticket to elect at any regular or special election may designate not more than two (2) challengers to be present at and witness the holding of the election in each precinct in the county. The challengers shall be entitled to stay in the room or at the door. The challengers shall be registered voters of the county in which the election is held, shall be appointed in writing signed by the chair of the committee, and shall produce written appointments on demand of any election officer. The committee or chair shall present the county clerk with a list of designated challengers at least twenty (20) days preceding a regular election and at least fifteen (15) days preceding a special election.

(4) Except as provided in KRS Chapter 242, not later than the fourth Tuesday preceding an election at which constitutional amendments or other public questions are to be submitted to the vote of the people,

any committee that in good faith advocates or opposes an amendment or public question may file a petition with the clerk of the county asking that the petitioners be recognized as the committee entitled to nominate challengers to serve at the election at which the constitutional amendment or public question is to be voted on. If more than one (1) committee alleging itself to advocate or oppose the same amendment file such a petition, the county board of elections shall decide, and announce by certified mail, return receipt requested, to each committee not less than the third Tuesday preceding the election, which committee is entitled to nominate the challengers. The decision shall not be final, but any aggrieved party may institute proceedings with the county judge/executive and, upon hearing, the county judge/executive shall determine which of the committees shall be recognized as the one to select challengers at the election.

(5) The committee shall file the names of the persons nominated by it with the clerk of the county at least twenty (20) days before the primary and regular elections and not less than fifteen (15) days preceding the date of a special election. The county board of elections shall, not later than the Thursday preceding the election, certify the nominees of the committee for the respective precincts to serve as challengers at the election where any constitutional amendment or public question is to be voted upon. If more than one (1) amendment or question is to be voted upon, the county board of elections may designate, on the petition of the committee, one (1) person for each amendment and question to serve as challenger at the election.

(6) The challengers shall perform their duties in the same manner and be subject to the same privileges as other challengers at an election.

Effective:
July 15, 2010