

117.379 Examination of electronic voting system by State Board of Elections.

- (1) Any person or corporation owning, manufacturing or selling any electronic voting system, may request the State Board of Elections to examine the system. Before requesting an examination or reexamination, any person, persons, or corporation shall pay to the State Treasurer an examination fee of five hundred dollars (\$500) and submit a test report from an independent testing authority approved by the State Board of Elections. The report shall demonstrate that the system meets all Federal Election Commission voting system standards. The State Board of Elections may, at any time, reexamine any system already approved. The State Board of Elections shall approve or disapprove any voting system within sixty (60) days after the date of its initial submission.
- (2) Upon receipt of a request for examination or reexamination of an electronic voting system, the State Board of Elections shall require that such system be examined or reexamined by three (3) examiners. The State Board of Elections shall appoint one (1) examiner who is an expert in computer science or electronic voting systems, one (1) person who is knowledgeable in election procedures and law in Kentucky, and one (1) person who is a present or former county clerk. The three (3) examiners shall submit one (1) written report on each system examined or reexamined to the State Board of Elections. The members of the State Board of Elections shall also examine or reexamine the system. A system shall be approved if the examiners' report states that the system meets all the requirements of KRS 117.381 and the State Board of Elections finds that the system meets all of the requirements of KRS 117.381. The report and a letter of approval shall be filed in the office of the State Board of Elections.
- (3) Any electronic voting system not approved by the State Board of Elections shall not be used at any election.
- (4) When an electronic voting system has been approved any improvement or changes in the system shall render necessary the examination or approval of such system or improvement.
- (5) Neither the members of the State Board of Elections, nor any examiner appointed by the State Board of Elections, nor any member of a county board of elections shall have any pecuniary interest in any electronic voting system.
- (6) Each examiner appointed by the State Board of Elections shall receive fair compensation to be established by the State Board of Elections.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 195, sec. 11, effective July 15, 1996. -- Created 1982 Ky. Acts ch. 360, sec. 3, effective July 15, 1982.