

**117.215 Procedure when machine becomes unusable during election -- Counting of votes -- Backup voting machine or supplemental paper ballots for emergency use.**

- (1) If, during the conduct of an election, a machine becomes in a state of disrepair so that it cannot be operated in a manner that will comply with the provisions of this chapter, the election officers shall lock or seal the machine in such a manner as to prevent further voting thereon and record the numbers shown by the public counter. Then the election officers shall secure from the county clerk a reserve voting machine, which shall be prepared and made ready for use as provided in KRS 117.205, and thereupon proceed to conduct the election. When the polls are closed both the original and reserve voting machines shall be examined and the votes thereon registered shall be counted as provided in KRS 117.275 and the aggregate number of votes cast on both machines for each candidate and on each question shall be certified as the result of the election in that precinct.
- (2) If an emergency should arise due to the malfunction of the voting machine, the county clerk shall provide a backup voting machine or supplemental paper ballots for use at the precinct and a ballot box in which to deposit the voted ballots. The ballot box shall be locked with two (2) locks and the judges of the precinct shall each hold the key to one (1) lock. At the close of voting, the ballots shall be counted at the precinct or a central counting center and added to the votes cast by machine. The aggregate of these votes shall be certified as the result of the election in that precinct.

**Effective:** July 13, 1990

**History:** Amended 1990 Ky. Acts ch. 48, sec. 26, effective July 13, 1990. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 6, effective March 19, 1977. -- Created 1974 Ky. Acts ch. 130, sec. 35, effective June 21, 1974.