

**COMMONWEALTH OF KENTUCKY  
STATE BOARD OF ELECTIONS**

**RESOLUTION REAFFIRMING KENTUCKY STATE BOARD OF ELECTIONS  
STAFFING AND OVERSIGHT**

WHEREAS, the National Voter Registration Act (“NVRA”), Section 10, requires each state to designate a state officer as the Chief Election Official;

WHEREAS, pursuant to KRS 117.015, the Commonwealth of Kentucky has designated that the Secretary of State shall serve as the Chief Election Official for the Commonwealth and Chair of the Kentucky State Board of Elections;

WHEREAS, the Secretary of State is the only member of the State Board of Elections with a National Security Clearance to receive top-secret election-related intelligence;

WHEREAS, the Secretary of State as Chief Election Official and Chair of the State Board of Elections is held accountable in the court of law and the court of public opinion for the Commonwealth of Kentucky’s conduct of our elections;

WHEREAS, the Secretary of State as Chief Election Official and Chair of the State Board of Elections is charged with complying with the Voting Rights Act of 1965, the National Voter Registration Act of 1993, the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (“UOCAVA”), the Help America Vote Act of 2002 (“HAVA”), and the Military and Overseas Voters Empowerment Act of 2009 (“MOVE”);

WHEREAS, the Secretary of State as Chief Election Official and Chair of the State Board of Elections, after each federal election cycle, certifies to the Election Administration Commission (“EAC”), Kentucky voter registration statistics, voter turnout, and compliance with federal law, namely HAVA and UOCAVA;

WHEREAS, the Secretary of State as Chief Election Official and Chair of the State Board of Elections certifies at every election to the United States Department of Justice timely delivery (45 days before the election) of UOCAVA ballots to our uniformed and overseas citizens;

WHEREAS, the Secretary of State as Chief Election Official and Chair of the State Board of Elections receives statements of candidacy and nominating petitions, candidate withdrawals, and certifies names of candidates for placement on the ballot, pursuant to KRS 118.105 et seq.;

WHEREAS, the Secretary of State as Chief Election Official receives certifications of official vote totals after each election, pursuant to KRS 118.425(4);

WHEREAS, the Secretary of State as Chief Election Official utilizes State Board of Elections’ systems, specifically the Voter Registration System, up to, on, and after each election

and throughout the regular course of business, to coordinate election inquiries and field complaints;

NOW, THEREFORE, be it resolved the Board of Elections of the Commonwealth of Kentucky reaffirm expressly:

Section 1. That the Secretary of State, Chief Election Official and Chair of the Kentucky State Board of Elections, to carry out the Board's statutory obligations and responsibilities in elections, is necessarily charged with the day-to-day oversight of regular operations of the Kentucky State Board of Elections and its staff, including the Executive Director and the Assistant to the Executive Director, who serve at the pleasure of the Board.

Section 2. That the Secretary of State, Chief Election Official, and Chair of the Kentucky State Board of Elections, to carry out the Board's statutory obligations and responsibilities in elections, is necessarily required to have access to information in order to carry out and fulfill the aforementioned state and federal statutory obligations.

Section 3. The Executive Director is directed to timely and fully communicate to the Chair and the Kentucky State Board of Elections matters that the Executive Director seems of importance to the purview of the Board in the thoughtful execution of the Board's statutory mission to oversee the fair administration of the election process.

Adopted August 28, 2018