

**119.205 Making or receiving expenditures for vote, for withholding of vote, or for signing a petition to have public question on ballot -- Definition of "expenditure" -- Procedures for paying for transportation of voters -- Applicability of KRS 502.020.**

- (1) Any person who makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate or public question at an election shall be guilty of a Class D felony.
- (2) Any person who solicits, accepts, or receives any such expenditure as payment or consideration for his vote, or the withholding of his vote, or to vote for or against any candidate or public question at an election shall be guilty of a Class D felony.
- (3) Any person who makes or offers to make an expenditure to any person to sign a petition to have a public question placed on the ballot, or any person who solicits, accepts, or receives any such expenditure as payment or consideration to sign a petition to have a public question placed on the ballot, shall be guilty of a Class B misdemeanor.
- (4) For purposes of this section, "expenditure" means any of the following when intended as payment or consideration for voting or withholding a vote, voting for or against any candidate or public question, or signing a petition to have a public question placed on the ballot:
  - (a) A payment, distribution, loan, advance, deposit, or gift of money or anything of value; or
  - (b) A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a payment, distribution, loan, advance, deposit, or gift of money or anything of value.

"Expenditure," as used in this section, shall not include the distribution of materials bearing the name, likeness, or other identification of a candidate, political party, committee, or organization, or position on a public question and not intended as payment or consideration for voting or withholding a vote, voting for or against any candidate or public question, or signing a petition to have a public question placed on the ballot.

- (5) Any candidate or committee, or any person on his behalf, who pays any person, including campaign workers, for transporting voters to the polls on the day of the election, shall make all payments by check. All payments, regardless of amount, shall be reported to the Registry of Election Finance in the manner that the Registry shall provide by administrative regulation. Any person who knowingly violates any requirement of this subsection shall be guilty of a Class B misdemeanor.
- (6) In addition to the above provisions, a person may be convicted of a violation of this section pursuant to KRS 502.020.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 53, sec. 1, effective July 14, 2000. -- Repealed, reenacted, and amended 1991 (1st Extra. Sess.) Ky. Acts ch. 5, sec. 1, effective February 15, 1991. -- Amended 1990 Ky. Acts ch. 48, sec. 76, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 341, sec. 37, effective July 15, 1988. -- Created 1974 Ky. Acts ch. 130, sec. 81.