

242.020 Petition for election.

- (1) A petition for an election shall be signed by a number of constitutionally qualified voters of the territory to be affected, equal to twenty-five percent (25%) of the votes cast in the territory at the last preceding general election. The petition may consist of one (1) or more separate units, and shall be filed with the county clerk in accordance with this section.
- (2)
 - (a) Before a petition for election may be presented for signatures, an intent to circulate the petition, including a copy of the unsigned petition, shall be filed with the county clerk by any person or group of persons seeking the local option election.
 - (b) After a petition for a local option election has received no fewer than the number of qualifying signatures required by subsection (1) of this section, the signed petition shall be filed with the county clerk.
 - (c) If the election is to be held on any day other than a primary or regular election date, a person or group of persons seeking the local option election shall post bond with the Circuit Court to cover all costs of the election within five (5) days after the signed petition is filed under paragraph (b) of this subsection. The cost of the election shall be established by the county judge/executive to determine the bond amount.
- (3) The petition for election, in addition to the signature and legibly printed name of each voter, shall state also the voter's residence address, year of birth, and the correct date upon which the voter's name was signed.
- (4) No signer of the petition may withdraw his or her name or have it taken from the petition after the petition has been filed. If the name of any person has been placed on the petition for election without that person's authority, the person may appear before the county judge/executive before the election is ordered and upon proof that the person's name was placed on the petition without his or her authority, the person's name and personal information required in subsection (3) of this section shall be eliminated by an order of the county judge/executive. When the person's name and personal information has been eliminated, he or she shall not be counted as a petitioner.
- (5) A petition seeking a local option election under this section shall state "We the undersigned registered voters hereby petition for an election on the following question: 'Are you in favor of the sale of alcoholic beverages in (name of territory)?'". No petition for a referendum shall be circulated for more than six (6) months prior to its filing.
- (6) After a petition for election has been filed in conformity with this section, the county judge/executive shall make an order on the order book of the court directing that the local option questions may be placed on the ballot for the next primary or regular election to be held in that territory. If the date of the local option election stated in the petition as provided in KRS 242.030(1) is a date other than a primary or regular election day, all election costs for such a local option election shall be borne by the person or group of persons who circulated the petition.
- (7) Substantial compliance with the wording designated under this chapter for a particular type of petition is sufficient to validate the actual wording of the

petition.

Effective: April 11, 2017

History: Amended 2017 Ky. Acts ch. 190, sec. 1, effective April 11, 2017. -- Amended 2013 Ky. Acts ch. 121, sec. 7, effective June 25, 2013. -- Amended 1996 Ky. Acts ch. 63, sec. 1, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 48, sec. 87, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 111, sec. 112, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 384, sec. 374, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2554c-2, 2554c-3.