



Election Laws in Kentucky

Uses Vote Worthy Part 1 Segment 3 [Listen here](#)

Background Reading

In the 2020 General Election, in-person voting was difficult, even risky, because of the COVID19 pandemic. Like many states, the Commonwealth of Kentucky allowed temporary changes to make it easier to vote. One change was to allow voting by mail with no excuse required. Any registered voter was allowed to use a mail-in absentee ballot if they wished, rather than voting in person. Another was to allow early voting in addition to voting on the regularly scheduled Election Day.

After the election, many states began working on legislation regarding elections. Some of the laws were intended to make some vote-by-mail and early voting options permanent. Others laws were aimed at getting rid of, or at least limiting, the vote-by-mail and early voting options. Measures were introduced that might make voting more or less convenient for voters. Almost all the bills included measures to strengthen election security.

In many states, the debate over election reform and election security has been fiercely partisan. In Kentucky, however, in 2021 the Kentucky General Assembly passed a compromise bill supported by both Republicans and Democrats.

According to a story on National Public Radio, “Before the pandemic, Kentucky had some of the most restrictive election laws in the country. The state allowed people to cast ballots early or by mail only if they had an excuse — like a medical condition, or if they temporarily reside outside their home county.” (Listen to the full story, [“Kentucky Election Reform Effort Gets Bipartisan Backing.”](#))

The bill that was passed will change that. Some of the provisions in the bill are:

- Allowing three days of early voting, including one Saturday;

- Voters will need an excuse to vote by mail (such as age, disability, residing outside the state in the military or in college) but they can request their ballot online;
- Allowing voters to fix their signature if they signed a mail-in ballot incorrectly;
- Counties can create “vote centers” that can be used by any registered voter in the county and drop boxes for absentee voters.

The bill also includes measures to make the voting and ballot counting process more secure. Understanding exactly what is being proposed in a bill is the first step in making an informed decision about whether you oppose or support the bill, but it is not an easy process. Most people rely on summaries of the bills provided by news media.

The Kentucky Legislative Research Commission maintains a website to provide information about any bills that are introduced in the Kentucky General Assembly. It provides a summary of the bill, any documents related to the bill, and any legislative action taken. It also breaks the bill down into indexed sections.

Visit the [Kentucky Legislative Research Commission website](https://legislature.ky.gov/Pages/index.aspx) (<https://legislature.ky.gov/Pages/index.aspx>) and search for HB 574, an ACT relating to elections. What can you learn about this bill?

Discussion Questions

1. What is an absentee ballot?
2. How were election laws about temporarily changed in Kentucky for the 2020 General Election?
3. House Bill 574 proposes three days of early voting in Kentucky. Do you agree with this idea? Why or why not?
4. How did information found at the LRC website compare to what you might read in a news story about a bill? What are advantages and disadvantages of both sources?
5. Is it important for a state government to provide access to the complete text of bills that are proposed? Why or why not?
6. Is it important for citizens to keep themselves informed about bills that are proposed? Why or why not?

Key Vocabulary

absentee ballot: a ballot completed and cast (or mailed in) before an election by a voter who is unable to be present at the polls

Kentucky General Assembly: the state legislature of Kentucky, comprised of the Kentucky Senate and Kentucky House of Representatives

Kentucky Legislative Research Commission (LRC): Created in 1948, this state agency provides support to the state legislature. It is co-chaired by the President of the Kentucky Senate and the Speaker of the Kentucky House of Representatives. Sixteen members are selected from the leadership of the Senate and the House of Representatives. The LRC provides staff and research support, produces educational materials, and maintains a reference library and website.

vote by mail: Every state allows mail-in voting, but many restrict eligibility for mail-in voting by certain criteria. In 2020, due to the coronavirus pandemic, many states gave all voters an excuse to vote in the General Election.

Teaching Tips

- Election laws are complex, and the language used in proposed bills can be difficult to understand. It might not seem worth the effort to research bills that are being considered by the Kentucky General Assembly unless students understand how these bills impact real people.
- Navigating the website of the Kentucky Legislative Research Commission is difficult. You may want to assign students to work in groups to look at the site to try to find information related to House Bill 574 from the 2021 General Session. If time is not available for this, you may want to use just the summary provided in the Background Reading and adjust the discussion accordingly.
- If you have not already established norms for civic discourse in your classroom, this is an excellent opportunity. The ability to engage in civil discourse with respect for diverse opinions is reflected in both the Kentucky Academic Standards for Social Studies and the national standards. It is also a core competency in Social and Emotional Learning. An easy approach is the THINK test for determining if a comment is appropriate: T—is it true, H—is it helpful, I—is it inspiring, N—is it necessary, K—is it kind.

Suggested Activity

After students listen to the podcast, read the background, and visit the LRC website, lead them in discussing the background questions. Ask them what they have read or heard about election law changes on other states. How do these changes compare to the new election law passed in Kentucky? Note that some Kentucky lawmakers wanted the election reform bill to go farther and allow voters to vote by mail “as a matter of convenience” instead of requiring an excuse. What is their opinion of that?

Lead the class in identifying circumstances that might make it inconvenient or difficult for a voter to cast their vote in person. If students are having trouble getting started, ask them to consider factors like: lack of reliable transportation; single parents with young children and no childcare; physical or health problems that might make it difficult to stand in line but do not

qualify as a disability; fear of COVID19 or other health concerns. Does having election processes that help voters overcome difficulties like this matter? Why or why not? Divide the class into small groups and ask each group to invent a fictional character who would be impacted if voters could request mail-in ballots as a matter of convenience. (You can work with groups or assign character types in order to get character with diverse circumstances.) Have each group develop a brief, creative presentation on how this person would be impacted by restrictions on mail-in voting and/or voting reforms relating to mailing ballots. They might make a poster, develop a skit, write a song, make a slide presentation, etc. Although they will use their creativity, they should strive to make their presentation factual rather than opinionated.

Ask them to consider whether each presentation clarifies the impact of the restrictions on mail-in ballots on individual voters.

As a follow-up, you might have them:

- keep track of news relating to voting bills passed in the U.S. after the 2020 election;
- select another section of the Kentucky bill and assess the impact on individual voters;
- research and create persuasive arguments for written, oral, or visual presentation relating to mail-in voting, early voting, or other aspects of voting access;
- discuss creative approaches to voter education.

Kentucky Academic Standards

Social Studies

HS.C.I.CC.1 Engage in civil discussion, reach consensus when appropriate and respect diverse opinions relevant to compelling and/or supporting questions in civics.

HS.C.I.CC.2 Engage in disciplinary thinking and construct arguments, explanations or public communications relevant to meaningful and/or investigative questions in civics.

HS.C.I.CC.3 Engage in disciplinary thinking and apply appropriate evidence to propose a solution or design an action plan relevant to compelling and/or supportive questions in civics.

Reading and Writing Literacy Practices

- Recognize that text is anything that communicates a message.
- Employ, develop and refine schema to understand and create text.
- Utilize receptive and expressive language arts to better understand self, others and the world.
- Engage in specialized, discipline-specific literacy practices.
- Apply high level cognitive processes to think deeply and critically about text.

Reading Guiding Principles

- Students will integrate and evaluate content presented in print/non-print forms of text found in diverse media and formats.
- Students will compose informative and explanatory texts to examine and convey complex ideas clearly and accurately through the effective selection, organization and analysis of content.
- Students will use a variety of strategies to determine or clarify the meaning of words and phrases, consulting reference material when appropriate.
- Students will acquire and use accurately a range of general academic and domain-specific words and phrases sufficient for reading, writing, speaking and listening in order to be transition ready.

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