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Emergency Rules Agreement Between Beshear, Adams Ensures Safer Election for Kentucky Voters

FRANKFORT, Ky. – Kentucky Governor Andy Beshear and Secretary of State Michael Adams have forged an agreement to establish clear absentee vote-by-mail rules for November’s general election. The governor’s executive order allows Kentucky citizens “who are concerned about contracting or transmitting COVID-19” to vote via absentee ballot.

Additionally, under the rules:

- Voters may request absentee ballots online
- Drop boxes must be made available for voters to return their ballots
- No-excuse early voting is scheduled to begin on October 13 and will include Saturdays

“The rules expanding vote-by-mail and no-excuse early voting and providing for electronic ballot transmission for voters with disabilities, are a resounding victory for our clients, Kentuckians, and common sense,” said Fair Elections Center Counsel Cecilia Aguilera. “Once again, Kentuckians will not be forced to choose between their vote and their or their loved ones’ health.”

“The guarantee in Kentucky’s Constitution of ‘free and equal’ elections means that every Kentuckian has the right to an equal and uniform opportunity to vote,” said Kentucky Equal Justice Center Senior Litigation and Advocacy Counsel Ben Carter. “Voting by mail is fair, secure, and increases democratic participation. Kentuckians deserve it in every election. But, in a pandemic, allowing anyone concerned for their safety or the safety of their community to vote by mail is absolutely mandatory. It’s good to see Kentucky’s elected officials do the right thing for November’s voting. Next, we need to do the right thing all the time.”

Fair Elections Center, Kentucky Equal Justice Center, and Kaplan Johnson Abate & Bird LLP brought a lawsuit on behalf of six Kentucky voters who are at increased risk from COVID-19.

The plaintiffs were seeking to ensure that they and other voters could safely vote from home in the November elections, and that no voter was disenfranchised due to an inability to comply with the Commonwealth's new voter ID law.

The suit also sought to allow the electronic transmission of absentee ballots to voters with disabilities who need to vote by mail to protect their health, so that they can use assistive technology in their homes to complete their ballots without assistance. Kentucky law already makes this ballot delivery option available to military and overseas voters.

Read the Secretary of State's Recommendation at: <https://bit.ly/3fTxlrf>

Read Gov. Beshear's Executive Order at: <https://bit.ly/3anVPIf>

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Fair Elections Center is a national nonpartisan and non-profit voting rights and election reform organization based in Washington, DC whose mission is to use litigation, public education, and advocacy to remove barriers to registration and voting, and to improve election administration.

Kentucky Equal Justice Center is a nonprofit law firm and advocacy organization that works to promote equal justice for all residents of the Commonwealth by advocating for low income people and other vulnerable communities.