



Constitutional amendment, few legislative races earn spotlight in likely 'status quo' election

October 29, 2024

On November 5th, Kentuckians will join millions of other Americans participating in the general election. Kentucky is not a swing state, and it will most assuredly commit its eight electoral college votes for Donald Trump almost immediately after polls close at 7:00p Eastern. There are no US Senate seats on the ballot; there are no statewide offices up for election; and, and each of Kentucky's six congressmen will return to D.C. facing token opposition.

The real intrigue will be on one of two proposed constitutional amendments and how a relative handful of urban and suburban legislative incumbents will fare in a post-Roe electorate. Democrats hope to marginally cut into the GOP's 80-20 House supermajority, while the well-funded GOP hopes to protect their 2022 gains in the Louisville area and potentially expand the map even further.

Among retirements, primary defeats, and contested open seats, there will be significant churn in the legislature, but it will not translate into massive shifts within the caucuses. Heading into Tuesday's general election, 55 of 100 House seats are already decided by virtue of being uncontested, leaving 45 head-to-head contests in that chamber. Only 19 of 38 Senate seats are in cycle this year, and there are only head-to-head races in eight of them. The legislature only recently redrew their boundaries, leaving few competitive opportunities. There are, however, some races to watch in Louisville, Lexington, and the Cincinnati suburbs of Northern Kentucky.

Sadly, at least one Senate Republican will not return to the General Assembly. District 29 State Sen. Jonnie Turner succumbed last week to complications resulting from a tragic accident he suffered in September. The timing of Sen. Turner's death – not two weeks prior to election day – leaves the mountain senate district without a major party candidate on the ballot, resulting in eleven official write-in candidates vying for the four-year term.

Beginning in 2025, Kentucky will join the list of states that are in the cannabis business, with the recent legislative approval of medical marijuana. The medical cannabis framework allows local communities to opt-in and opt-out of having dispensaries and growing operations in their communities. Some localities have done this by local ordinance, while 106 city and county

jurisdictions opted to let the public decide the issue for their community and put local referendums for medical marijuana on the ballot.

The May primaries resulted in abysmal turnout, but if GOP Secretary of State Michael Adams' speculation is true, November will feature enthusiastic voter participation. More than 130,000 of Kentucky's 3.5 million registered voters requested absentee ballots, portending what Adams has stated could be near-historic turnout. The Commonwealth has in-person, no excuse absentee voting for three days (Thursday-Saturday) prior to the Tuesday election. Secretary Adams has toured the state imploring voters to take advantage of early voting opportunities, anticipating that the inclusion of two constitutional amendments on the ballot will slow down throughput on Election Tuesday.

LEGISLATIVE RACES

All 100 House seats and half of the Senate's 38 seats are on the ballot this November. House terms are for two years, and Senate terms are for four. In both chambers, Republicans enjoy supermajorities well in excess of the 51 votes needed to override a governor's veto and the 3/5 majority needed to pass certain fiscal measures in a non-budget year.

The electoral cycle precedes legislative leadership elections among the majority and minority caucuses in both chambers. Once the dust settles on Tuesday, candidates will compete within their caucuses for coveted leadership spots, which will be decided in November for both the House and Senate. The voluntary departure of Senator Damon Thayer from the General Assembly opens up a competitive spot for Floor Leader. No member of House Majority Leadership is retiring or faces a particularly competitive race next week, but the Democratic minority must backfill their Floor Leader and Whip positions due to the retirements of Derrick Graham and Rachel Roberts, respectively.

There are six Senators and 14 House members who either announced their retirements, were defeated in the May primary, or are seeking a different elected office.

- Senate Judiciary Chairman **Whitney Westerfield** (GOP – District 3, retired)
 - Sen. **Adrienne Southworth** (GOP – District 7, defeated in primary)
 - Senate Licensing & Occupations Chairman **John Schickel** (GOP – District 11, retired)
 - Senate Majority Floor Leader **Damon Thayer** (GOP – District 17, retired)
 - Sen. **Johnnie L. Turner** (GOP – District 29, deceased)
 - Sen. **Denise Harper-Angel** (Dem – District 37, retired)

 - House Agriculture Chairman **Richard Heath** (GOP – District 2, defeated in primary)
 - Rep. **Jonathan Dixon** (GOP – District 11, retired)
 - Rep. **Courtney Gilbert** (GOP – District 24, retired)
 - Elections, Constitutional Amendments & Intergovernmental Affairs Chairman **Kevin Bratcher** (GOP – District 29, pursuing Louisville Metro Council seat)
 - Rep. **Josie Raymond** (Dem – District 41, pursuing Louisville Metro Council seat)
 - Rep. **Keturah Herron** (Dem – District 42, pursuing State Senate seat)
 - Rep. **Killian Timoney** (GOP – District 45, defeated in primary)
 - House Minority Floor Leader **Derrick Graham** (Dem – District 57, retired)
 - House Small Business & Information Technology Chairman **Phil Pratt** (GOP – District 62, retired)
 - Rep. **Steve Rawlings** (GOP – District 66, pursuing State Senate seat)
 - House Minority Whip **Rachel Roberts** (Dem – District 67, retired)
 - Rep. **Ruth Ann Palumbo** (Dem – District 76, retired)
 - Rep. **Jacob Justice** (GOP – District 94, retired)
 - Rep. **Danny Bentley** (GOP – District 98, retired)
-

STATE SENATE

[30-7 GOP supermajority, with one vacancy]

RACES TO WATCH

District 29 - (OPEN) **Sen. Johnnie L. Turner** of Harlan passed away recently after a tragic accident while mowing his yard. His death occurred days before the filing deadline for a write-in candidacy, and the district seat will now be decided by an 11-way contest between write-in ballots. No Democrat previously filed for the seat, and while Senator Turner's name will still be on the ballot, any votes he garners will not count, and the largest vote-getter among the 11 write-in candidates will serve the entire four-year term. The Senate Republican Majority and leading Republicans around the state are rallying with a big effort behind Pineville Mayor Scott Madon in this Republican-leaning district, while Gov. Andy Beshear and other Democrats are throwing their support behind Democrat attorney Justin Noble.

District 23 - **Senate Appropriations & Revenue Chairman Chris McDaniel** is defending this Northern Kentucky seat against Democratic candidate Jennifer Sierra of Covington. Sierra is a small business owner, children's book author, and artist. McDaniel has served as A&R Chair over a time period that began with forced fiscal austerity due to the state's pension challenges, through major tax reforms, and on to regularly recurring fiscal surpluses. His district encompasses reliably Republican precincts in Kenton County, but its incorporation of significant portions of the Democratic-leaning City of Covington puts a quadrennial spotlight on the district.

District 27 - **Senate Education Chairman Steve West** faces Democrat and former Franklin Circuit Court Clerk Molly Gene Crain from Lexington. Democrats have invested dollars in attempting to topple the incumbent West in this affluent Central Kentucky district.

OTHER SENATE RACES

District 5 - **Senate Health Services Chairman Stephen Meredith** of Leitchfield faces Democrat USDA FSIS inspector Jamie Skudlarek.

District 7 - (OPEN) Republican **Sen. Adrienne Southworth** was defeated in a three-way primary by Aaron Reed, a former Navy SEAL who established his bona fides as a "Liberty" candidate. He faces Democrat Rhonda Davis, the founder of Cannabis Phrog in Lawrenceburg.

District 9 - Republican **President Pro Tempore Sen. David Givens** of Greensburg is running for re-election this year. He faces Democrat Karen Pennington. Pennington is the owner, manager, and CEO at Ice Me Up Shave Ice in Cave City.

District 17 - (OPEN) Republican Matt Nunn, the VP of Toyota Tsusho America from Sadieville, faces Democrat Kiana Fields, a Research and Education Coordinator at the University of Louisville. This seat fills the vacancy created by **Majority Floor Leader Damon Thayer's** retirement.

District 37 - **Senate Minority Whip David Yates** is the only incumbent Democrat with a general election this year. He faces Republican airport employee and intern at Kentucky Refugee Ministries, Calvin Leach in this Louisville district.

STATE HOUSE OF REPRESENTATIVES

[80-20 GOP supermajority]

RACES TO WATCH

**With all races on the watch list, their inclusion indicates nothing about candidate quality; they are listed here because the district is rapidly changing in a way that creates potential headwinds*

for the incumbent party in a presidential election year with a major constitutional amendment on the ballot, or they are open seats in a competitively drawn district.

District 31 - Republican incumbent **Rep. Susan Witten** from Louisville faces Democrat Attorney Colleen Davis from Louisville. During the last round of redistricting, District 31 was one of the only true “toss-up” districts drawn by the GOP Majority. Although Witten won in this relatively affluent district in 2022, it hasn’t been tested with Trump at the top of the ticket.

District 48 - Democrat Kate Farrow, a Crestwood education advocate who retired as an operations manager at a local water company, faces off against **Budget Review Subcommittee on Personnel, Public Retirement, and Finance Chairman Ken Fleming** from Louisville. Farrow narrowly lost a bid for Oldham County School Board in 2022. This affluent district encompassing Louisville’s east end and stretching along the river into the wealthy bedroom communities of Oldham County was first won by Fleming in 2016, before losing it in 2018, only to re-take it in 2020. Trump at the top of the ballot has generally been a boon for the Republican candidate, but four years removed from 2020, the district’s voters are perceived to be moving away from their support of the former President, with potential implications down ballot.

District 88 - **Democrat Minority Caucus Chair Cherlynn Stevenson** faces Republican Vanessa Grossl, a business development coordinator from Georgetown. Stevenson has been the target of GOP fundraising and GOTV efforts for consecutive cycles. Fayette County (Lexington) is reliably Democratic, but the GOP sees pickup potential in and around GOP-weighted Scott County. Stevenson narrowly retained her seat two years ago, winning by just 35 votes.

District 95 - Incumbent Democrat **Rep. Ashley Tackett Laferty** of Martin in Eastern Kentucky faces Republican Brandon Spencer, a CEO in Healthcare. Laferty is a bit of a Democrat anomaly in the red areas of Appalachia.

District 67 - (OPEN) Northern Kentucky's only elected Democrat in the General Assembly and **Minority Whip Rachel Roberts** is not seeking re-election. Democrat Matthew Lehman of Newport, a biotechnology research and design worker, faces Republican candidate Terry Hatton, a business owner from Bellevue. Predicting Northern Kentucky outcomes is a bit of a crapshoot, and any open seat carries the potential for turnover in either direction.

District 65 – Republican **Rep. Stephanie Dietz** of Edgewood. In Northern Kentucky faces Democratic Attorney and professor Aaron Currin from Fort Wright. Dietz narrowly won against a seemingly popular Democratic incumbent in 2022.

District 28 - Republican incumbent **Rep. Jared Bauman** from Louisville faces teacher and business owner Almaria Baker. She is a fellow Louisvillian and Democrat. Reps. Bauman and Callaway (see below) were part of the GOP wave that swept through Louisville during the 2022 cycle, and they carry some additional vulnerabilities as freshmen in a Jefferson County electorate that is increasingly unpredictable.

District 37 - Republican **Rep. Emily Callaway** from Louisville faces Democratic President of Teamsters Local 783, John Stovall, from Louisville.

District 45 - Republican incumbent **Rep. Killian Timoney** lost his re-election bid to Republican Thomas Jefferson from Lexington. Jefferson faces Democrat combat veteran and small business owner Adam Moore in this competitive district. The moment the May results were in, Democrats were champing at the bit getting to square off in a now open race against a GOP candidate who defeated the admittedly more moderate Timoney by moving well to his right.

District 64 - **House Health Services Chairwoman Kimberly Moser** of Taylor Mill in Northern Kentucky faces Democrat Heather Crabbe in this heavily Republican district. Crabbe is an attorney and associate provost from Covington.

OTHER HOUSE RACES

District 1 - **Majority Floor Leader Steven Rudy** from Paducah faces Democrat Fredrick Fountain, a substitute teacher and events planner from Paducah.

District 3 - **Local Government Chairman Rep. Randy Bridges** from Paducah goes up against Democrat Carrie Singler. Carrie is a well-being and recognition counselor from Madisonville.

District 4 - Incumbent Republican **Rep. Wade Williams** from Murray is running for re-election against Democrat Lloyd Smith. Smith is a commercial driver from Madisonville.

District 5 - Republican incumbent **Rep. Mary-Beth Imes** of North Murray is challenged by Democrat Lauren Hines, a real estate agent also from Murray.

District 6 - **BR Subcommittee on General Government Chairman Chris Freeland** from Benton is running against a retiree Democrat Linda Edwards from Benton, Ky.

District 9- Republican Incumbent **Rep. Myron Dossett** from Pembroke faces Democrat Twyla Dillard from Hopkinsville. Dillard is a human resource administrator.

District 10 - Incumbent Republican **Rep. Josh Calloway** from Irvington faces Democrat John Whipple, a retired teacher from Webster, in this heavily Republican district.

District 12 - **Natural Resources & Energy Chairman Rep. Jim Gooch** of Providence is running against Democratic newcomer Alton Ayer.

District 14 - Republican incumbent **Rep. Scott Lewis** from Beaver Dam faces Democrat Chanda Garner, a retail store manager also from Beaver Dam.

District 21 – Republican **Rep. Amy Neighbors** faces Kentucky Senior Sales Leader for Wellcare and Centene Corps employee, Jeffery Humble. He is a Democrat from Colombia.

District 25 - Republican **Rep. Steve Bratcher** from Elizabethtown faces Democratic newcomer Cherlyn Smith. She is a business consultant also from Elizabethtown.

District 27 - Republican **Rep. Nancy Tate** from Brandenburg Kentucky is going up against Democratic graduate student Tyler Chapman from Ekron.

District 29 - (OPEN) Republican Metro Council legislative assistant Chris Lewis faces Democrat Timothy Findley, a CEO and pastor in the Louisville area who previously ran for Mayor. The seat is being vacated by **Constitutional Amendments & Intergovernmental Affairs Chairman Kevin Bratcher**, who is stepping down to run for Louisville Metro Council.

District 33 - **Majority Whip Republican Jason Nemes** from Louisville faces Louisville Democrat Taylor Jolly, an actuary.

District 36 - Incumbent **Rep. John Hodgson** from the Louisville suburbs faces Democrat teacher William Zorn of Louisville.

District 38 - Democratic Incumbent **Rep. Rachel Roarx** is facing Republican challenger Carrie McKeehan. Both candidates are from Louisville, and McKeehan works as an educator.

District 39 - Republican **Rep. Matt Lockett** from Nicholasville faces Democratic challenger Ryan Stranford, a certified trainer and soccer coach from Nicholasville.

District 41 - (OPEN) Democrat **Rep. Josie Raymond** is relinquishing her seat in exchange for a seat on the Louisville Metro Council. Former longtime Rep. Mary Lou Marzian faces Republican education consultant Sara-Elizabeth Cottrell in this reliably blue district.

District 46 - Louisville Democrat **Rep. Al Gentry** faces newcomer Republican Bob DeVore.

District 47 - Republican incumbent **Rep. Felicia Rabourn** of Pendleton faces Democrat Robb Adams, the retired Mayor of Carrollton.

District 55 - Incumbent Republican and **Tourism & Outdoor Recreation Chairwoman Kim King** from Harrodsburg is defending this Central Kentucky seat against Democrat Katrina Sexton, a schoolteacher from Burgin.

District 56 – Republican **Rep. Daniel Fister** of Versailles faces Democrat Chantel Bingham, an Executive Director of the Housing Authority of Versailles.

District 57 - (OPEN) Frankfort State Farm agent Erika Hancock faces Republican Kyle Thompson, who is a lawyer and serves as a Frankfort City Commissioner. This is a vacant seat created by the retirement of **Minority Floor Leader Derrick Graham**.

District 60 - Freshman Republican **Rep. Marianne Proctor** of Union faces Democratic candidate Deborah Flowers, a small business owner, RN, and massage therapist in Union.

District 62 - (OPEN) Scott County Sheriff and Republican Tony Hampton of Georgetown faces off against Democrat Kevin Kidwell, a retiree from Stamping Ground. **Small Business & Information Technology Chairman Phillip Pratt** is retiring.

District 66 - (OPEN) Republican **Rep. Steve Rawlings** is leaving his seat in the House for the Senate seat of retiring Sen. John Schickel. In true Northern Kentucky “Liberty” fashion, consultant T.J. Roberts of Burlington ran away with the primary and faces Democrat Peggy Houston-Nienaber in this heavily Republican district.

District 68 - Republican **Rep. Mike Clines** of Alexandria, faces Democrat Brandon Long from Fort Thomas, an educator and minister.

District 69 - Freshman Republican **Rep. Steven Doan** of Erlanger faces Democratic challenger Wilanne Stangel, a Boone County Public Library Youth Services Associate, in this heavily GOP district.

District 71 - **Appropriations and Revenue Vice Chairman Josh Bray** is defending his seat against Democrat Rachele Riddle of Mount Vernon, an artist and business owner.

District 73 - Republican **Rep. Ryan Dotson** from Winchester faces Democrat Rory Houlihan of Winchester, a Lowe’s worker.

District 77 - Incumbent Democrat **Rep. George Brown** from Lexington faces Republican Jason Griffith, a Toyota team leader from Lexington.

District 78 – Republican **Rep. Mark Hart** drew a late Independent candidate, Timothy Johnson from Walton.

District 84 - Eastern Kentucky preacher, and **BR Subcommittee on Economic Development, Public Protection, Tourism, and Energy Chairman Chris Fugate** is running against Democrat Zackary Hall, a Foundation for Appalachian Kentucky worker from Hazard.

District 98 - (OPEN) **Budget Review Subcommittee on Health & Family Services Chairman Danny Bentley** is retiring. Republican Aaron Thompson, a manager from Ashland, faces Democrat Tammie Womack from Ashland.

CONSTITUTIONAL AMENDMENTS

There are two constitutional amendments on the ballot this year, and voters will be subjected to

lengthy – and often unclear – language before casting their vote.

Amendment 1: “Are you in favor of amending Sections 145 and 155 of the Constitution of Kentucky to prohibit persons who are not citizens of the United States from being allowed to vote in the Commonwealth of Kentucky, as stated below?”

Non-U.S. citizens are currently forbidden from voting in Kentucky’s elections, and there is no evidence that they have, or have attempted, to do so. Proponents of Amendment 1 admit that while that is the case for statewide and legislative elections, there is a theoretical path for non-citizens to cast votes in more localized elections, and by enshrining this language in the state constitution, it slams the door on even the possibility.

Amendment 1 is expected to pass on the merits, but because the State Supreme Court requires incorporation of the language into the Constitution for full context, the 19th Century wording is likely to confuse or frustrate many voters.

Amendment 2: “To give parents choices in educational opportunities for their children, are you in favor of enabling the General Assembly to provide financial support for the education costs of students in kindergarten through 12th grade who are outside the system of common (public) schools by amending the Constitution of Kentucky as stated below?”

Fewer issues have generated as much public discussion and heated debate as the effort to codify school choice in Kentucky. Since Republicans took the House Majority during the 2016 electoral cycle, they have attempted piecemeal incorporation of some level of public-funded school choice, only to continuously be thwarted by the state Supreme Court, which has drawn a firm line that there is no room for public support for private school choice in the state’s constitution.

Amendment 2 would give that authority to the General Assembly by “notwithstanding” the sections of the Constitution that currently inhibit them. Unlike many constitutional amendment efforts, the General Assembly did not pass companion, or enabling, legislation to accompany the ballot measure. The absence of any policy specificity has given both proponents and opponents the prerogative to characterize its passage as either a panacea or the end of public education in Kentucky – and everything in between.

Thus far, more than \$16 million has been spent by both sides of Amendment 2, flooding the airwaves and mailboxes. The public education community, naturally, has led the grassroots charge against the amendment. The public school district is often the largest employer in any given county or legislative district, and their reach is deep and wide. Proponents count among themselves well-funded homegrown and national school choice advocates, but that is not to suggest the issue did not percolate organically: the state’s largest district routinely underperforms in testing metrics and is subject to almost daily headlines about behavioral issues and discipline shortcomings. School choice advocates see private school competition as a way out for students with no other options, while detractors plead for more investment in public education. Insofar as “celebrity” endorsements matter, U.S. Senator Rand Paul has been the most visible Pro-Amendment 2 spokesperson, while Democratic Governor Andy Beshear has provided the Anti-Amendment 2 counterweight.

While the result of the amendment has obvious implications for the future of education policy, it does so too for future ballot initiatives. If it fails, it joins the anti-abortion amendment (2022), the session extension amendment (2022), and the district judge term extension amendment (2020) as major initiatives that simply could not earn the support of a majority of Kentuckians. Lawmakers openly discuss the futility of continuing to put measures before the voters and may recoil from adopting them going forward.

As expected, there are few legitimate challengers to Kentucky's federal delegation. Incumbent Reps. Hal Rogers, Andy Barr, James Comer, Morgan McGarvey, and Brett Guthrie are all expected to win their elections.



CHRIS NOLAN



SARA OSBORNE



JAMES HIGDON



mmlkgov.com

502.875.1176

MML&K Government Solutions | 202 West Main Street | Frankfort, KY 40601 US

[Unsubscribe](#) | [Update Profile](#) | [Constant Contact Data Notice](#)



Try email marketing for free today!