Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2015 Regular Session

Part I: Measure Information

Bill Request #: 1564
Bill #: HB 373 HCS
Bill Subject/Title: AN ACT relating to elections.
Sponsor: Representative Jeff Greer
Unit of Government: City X County Unified Local X Consolidated Local X Government
Office(s) Impacted: County Clerks
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing X Adds New Eliminates Existing

Part II: Purpose and Mechanics

Currently, per KRS 242.020, if the number of constitutionally qualified voters of a territory signing a petition for a local option election is equal to at least twenty-five percent of the votes cast in the territory at the last general election, then a local option election shall be held in that territory. A territory is defined by KRS 241.010 as a county, city, district, or precinct.

The date of the local option election may be stated in the petition; however, KRS 242.030 prohibits local option elections on the same day as a primary or general election.

While KRS 242.030 stipulates that no local option election shall be held in the same territory more than once every three years; a territory could be limited to one precinct, resulting at times in several local option elections in a county during the course of a year. KRS 242.060 obligates the county to pay for the costs of local option elections. The state reimbursement of \$199 per precinct is distributed for primary and general elections rather than local option elections.

HB 373 as introduced required, if the date of the local option election is not stated in the petition, that the local option election be held on the same day as a primary or general

election and provides associated timelines. If the date of the local option election is stated in the petition as a day other than the day a primary or general election is held, then the petitioners, rather than the county, must pay the election costs.

HB 373 HCS amends only KRS 242.060; therefore, local option elections would still be prohibited on the same day as a primary or general election. However, the petitioners rather than the counties would be responsible for the costs of local option elections.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

With the average cost to counties conducting an election of \$2,000 per precinct; the savings to counties with the petitioners incurring the costs could range from minimal to significant, depending upon the composition of the territory (may range from one precinct to the entire county) and the number of territories within a county requesting local option elections per annum.

Data Source(s): LRC Staff, Kentucky County Clerk's Association

Preparer: Katherine L. Halloran **Reviewer:** MCY **Date:** 3/3/15