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

## **Part I: Measure Information**

Bill Request #: 1459
Bill #: HB 392
Bill Subject/Title: AN ACT relating to primaries.
Sponsor: Representative Arnold Simpson
Unit of Government:  City X County Unified Local X Charter County 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**

HB 392 defines a "registered independent" as a person who is not a member of a political party, a political organization, or a political group. It appears that designation would include, in addition to those specifically registering as an independent, any voter not specifying a party affiliation as well as voters from parties receiving less than two percent of the vote in the last presidential election. Based on the above, there are approximately 250,000 registered voters in Kentucky that would be classified as a "registered independent".

Currently, for primary elections, "registered independents" are allowed to vote only in nonpartisan races such as judicial, local school boards, and most city offices. HB 392 would amend KRS 116.055 to allow a "registered independent", as of December 31 immediately before the primary, to vote in the primary of one party. KRS 118.125 would be changed to stipulate that a "registered independent" could not run as a primary candidate in a partisan race.

HB 392 does not impose any tracking requirements for recording the party for which a "registered independent" votes. The first primary in which "registered independents" could vote for a partisan candidate under this measure would be May 2016.

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

The cost to counties would range from minimal to moderate, depending upon the number of "registered independents", the composition of the primaries (i.e. both Democratic and Republican), and the type of voting system (paper ballot versus Direct Recording Electronic (DRE) voting machines) used.

The majority of counties in Kentucky, including Jefferson, utilize paper ballots. Usually paper ballots are printed (\$.29 per ballot) based upon the turnout from the last presidential election. However with no prior election data available for "registered independents" voting in partisan primaries, to ensure sufficient ballots for the May 2016 primary, counties may elect to print ballots based upon the number of "registered independents" for both Democratic and Republican primaries (anticipated for all counties as it is a presidential election year), while retaining a nonpartisan ballot for those wishing to vote in only the nonpartisan races.

There are 213,106 "registered independents" in counties using paper ballots; therefore, the impact in 2016 is estimated to be \$123,601 (\$.29 each for Democratic and Republican ballots), ranging from less than \$40 for Robertson County to over \$30,000 for Jefferson County. Costs would be expected to decline in subsequent election years with prior election data available for projecting the number of ballots needed, especially if there are primaries for only one party.

There are less than thirty counties in Kentucky, including Fayette, utilizing DREs. With no tracking requirements for recording the party for which a "registered independent" votes; there would be minimal, if any, programming costs associated with this legislation for those counties. Turnout would not be expected to increase above capacity for general elections; therefore, there should not be the need for the purchase of additional DREs.

**Data Source(s):** LRC Staff, Kentucky County Clerk's Association, Harp Enterprises, State Board of Elections.

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