# Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2016 Regular Session

### **CORRECTED 02/23/16**

#### **Part I: Measure Information**

Bill Request #: 1693
Bill #: HB 430
Bill Subject/Title: AN ACT relating to elections.
Sponsor: Representative Bell
Unit of Government:XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment
Office(s) Impacted: County Clerk
Requirement: <u>X</u> Mandatory Optional
Effect on Powers & Duties: <u>X</u> Modifies Existing <u>X</u> Adds New <u>X</u> Eliminates Existing

#### Part II: Purpose and Mechanics

HB 430 requires that all candidates running for state wide constitutional offices including slates of candidates running for Governor and Lieutenant Governor to file his or her state and federal business and personal income tax returns for the current year and for the two preceding years with the Secretary of State at the same time the candidate is filing the notice and declaration to be a candidate, with duplicate paper copies filed with Kentucky Registry of Election Finance, and the county clerk in the county where each of the state wide candidates and slate of candidates reside.

The Registry of Election Finance and County Clerks shall maintain and hold as public records these tax returns for a period of sixteen years.

HB 430 further requires that all Executive Branch employees listed in KRS 11A.010(9)(a) to (g) shall, within 30 days after the effective date of this Act, file his or her state and federal business and personal income tax returns for the current year and for the two preceding years with the Executive Branch Ethics Commission. Thereafter, they

shall file their current year tax returns no later than July 1 of each subsequent year with the Commission.

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

**HB 430 will have minimal impact on local governments in the aggregate.** However, the County Clerks' Association expressed concerns that this could present a problem for some counties given the 16 year storage requirement which after the fifth election would result in storage related to no less than four election cycles at any one time. Overlapping of the 16 year time frame may result due to the inability to purge files timely due to office schedules and workloads, and the exact date the 16 year span started.

Also adding to storage concerns is the possibility of multiple candidates in a single election, and the possibility of extensive and, therefore, space-consuming business and personal income tax returns.

There may be a flurry of public records request when returns are first filed regarding candidates that attract high public interest. This too could disrupt office routine especially in the smaller offices.

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

Preparer: Wendell F. Butler Reviewer: JWN	Date:	2/22/16
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