



SB 255 removes the situational requirements necessary for in-person absentee voting. **Any qualified voter who chooses to vote in-person absentee may do so** at the time and location detailed in the bill.

SB 255 provides that all mail-in absentee ballots meet the same requirements as currently provided in statute regarding voting by mail with the following additions:

SB 255 expands the qualifying requirements for a mail-in absentee ballot to include an expanded statement of the reason the person cannot vote in person on Election Day to include why the person cannot vote in person during the dates and times provided for in-person absentee voting.

SB 255 expands the time provisions regarding cancelling a mail-in absentee ballot from seven days before the date of the election to include the time frame during which in-person absentee voting is being conducted. Once the ballot is returned to the clerk, the person may then vote on Election Day or during the in-person absentee voting period.

SB 255 changes the deadline from fifteen days to forty-five days before any special election that the county clerk shall have ballot labels printed and ready for use for each candidate.

SB 255 requires the county clerk to equip the in-person absentee voting machine with the necessary supplies including attaching a pencil or pen to the machine for the purpose of write-in votes, at least five days prior to the in-person absentee voting period.

SB 255 expands the requirements relative to time off from work to include time needed to appear before the clerk to request an application for or to execute a mail-in absentee ballot or to cast his ballot during the in-person absentee voting period.

The Secretary of State sees SB 255 as a means of expanding voting before Election Day in order to combat low voter turnout. The last statewide election had a 30% turnout. The bipartisan Presidential Commission on Election Administration endorsed the concept in 2014.

The Kentucky County Clerks Association have two main concerns. First, the cost involved as detailed in the Fiscal Explanation below. Secondly is their interpretation of Section 147 of the Kentucky Constitution which states “... *any person absent from the county of his legal residence, or from the state, may be permitted to vote in a manner provided by law.*” The association has concerns that SB 255 conflicts with the Constitution by allowing people to vote absentee by choice instead of out of necessity resulting from being out of county or state on Election Day.

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

**The fiscal impact of SB 255 is expected to be significant.**

**The Kentucky County Clerks Association provided the following cost concerns.**

Extra machines would have to be purchased. This is necessitated by the need to segregate early voting machines from those machines used on Election Day in order to preserve the history of early voting in case of recounts or investigations.

Duplicate rosters and voter rolls will be needed at each early voting location so that each location can mark voters as having voted during the early voting period and to ensure each precinct can verify this has occurred in order to safeguard against individuals voting again come Election Day.

There is concern among the clerk offices regarding the use of temporary labor for early voting. Concerns range from the trustworthiness of temporaries to whether or not temporaries possess the necessary knowledge. Whereas early voting machines will be located at various locations, a clerk, in lieu of hiring temporaries, will have to send staff to the location for hands-on control and security, thus removing staff from their regular office responsibilities. If the clerks opts for outside labor to man the locations, then this would be a labor cost above and beyond what they have today. As for the temporary hires, this would entail a commitment of 20 days around each election. At a minimum, early voting would require 4 election officers per location, the same as Election Day. However, you might have to staff for "crowd control" if fewer locations are used due to the higher volume of people.

Of further concern to the Kentucky County Clerks Association is the logistics of setting up and managing early voting. The early voting machines must be delivered to the locations and picked back up and stored. The locations must be reimbursed for what amounts to "rent" for the early voting period. The machines themselves must be secured every day during early voting. This will no doubt add expense. It should be noted that some early voting advocates also favor having many locations during the voting period, which exacerbates the cost substantially.

**Data Source(s):** LRC Staff, Kentucky County Clerk Association, Fayette County Clerk's Office, Leslie County Clerk's Office, Secretary of State, Identical to BR 946 and BR 1324 (HB 290)

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