Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 1534
Bill #: _HB 363
Document ID #: 3448
Bill Subject/Title: AN ACT relating to elections.
Sponsor: Representative Maria Sorolis
Unit of Government: City x County x Urban-County Unified Local
<u>x</u> Charter County <u>x</u> Consolidated Local <u>x</u> Government
Office(s) Impacted: County clerks
Requirement:x Mandatory Optional
Effect on Powers & Duties:x _ Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

The fiscal impact of HB 363 is minimal. However, HB 363 makes several significant changes to voting and voter registration law that will require time and effort by county clerks to comply with. The changes made, and their impact on county clerks, are delineated below.

HB 363 amends KRS 116.025 to provide that a voter shall be a resident of the state and precinct on or before the day of an election and amends KRS 116.045 to provide that a person who has not registered to vote prior to the time that the registration books are closed, and who possesses all other qualifications for voter registration, may register or change party affiliation at the person's precinct of residence on the day of the election and shall be permitted to vote in that election. The Act provides that (before being permitted to vote) a voter (whose right to vote is challenged) must confirm his or her identity as required by KRS 117.227 and complete a required affidavit. The subscribed oaths shall be delivered to the county clerk and investigated in accordance with KRS

117.245. HB 363 requires the county clerk to provide a report to the State Board of Elections of the number of voters registering to vote at precincts on Election Day.

Regarding primary elections. HB 363 deletes the requirement that in order to vote, a person must have been registered as a member of the political party by December 31 or, in the case of new registrations, have been registered and remained registered as a member of that party. HB 363 amends KRS 117.225 to provide that if the person is not listed on the precinct roster, the person must be given the opportunity to register and vote at the precinct on the day of an election and amends KRS 117.365 to require applications for voter registration at the precinct to be presented (by the county clerk) to the grand jury and retained by the county clerk.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced and there are not any prior versions of the bill to complete the Part III section.

Data Source(s): Kentucky County Clerks Association

Preparer: H. Marks Reviewer: KHC Date: 2/27/19