



county board of elections may petition the State Board of Elections to consolidate precinct election officers.

HB 388 HCS 1 changes procedures regarding mail-in absentee ballots. HB 388 HCS 1 forbids mail-in absentee ballots from being mailed to a voter's residential address except for:

- qualified voters whose employment requires him or her to be absent from the county of residence all hours and all days that in-person absentee voting is being conducted and is unable to appear at the polls on election day due to age, disability, or illness, and who has not been declared mentally disabled;
- voters who are incarcerated in jail but have not been convicted;
- voters who are uniformed service voters confined to a military base on election day; or
- student voters who temporarily reside outside the county of residence, if the student voter requests that the mail-in absentee ballot be sent to the student's residential address located in the county in which the voter is registered.

HB 388 HCS 1 moves the timeline for verification of mail-in absentee ballots to the day before any primary, regular election, or special election day. Currently, verification occurs the day of the election. Procedures and guidelines are giving regarding the violability of the mail-in absentee ballots. The actual counting of the mail-in absentee ballots will still occur at 8 a.m. on election day.

HB 388 HCS 1 increases the time frame that the county clerk must have the ballots printed and ready for use from at least 15 days to at least 45 days before a special election. The requirement regarding the quality of paper used for supplemental ballots as determined by regulation has been deleted.

HB 388 HCS 1 allows the county attorney to appoint someone to attend election officer training sessions. Additionally, HB 388 HCS 1 deletes the requirement that the county attorney or his or hers designee attend election officer training.

**The fiscal impact of HB 388 HCS 1 on local governments is indeterminable but could range from minimal to significant.** Per KRS 117.105, fiscal courts are responsible for purchasing or leasing voting machines to be used in regular, special, and primary elections. WLEX-18 news out of Lexington recently reported the Fayette County Clerk had purchased 175 paper ballot machines at a cost of \$11,000+ per machine. Given the stipulation that the machine must be capable of tabulating separate ballots, a number of machines may / may not have to be replaced.

Having two precincts at one location and the consolidation of precinct workers could save money. Per KRS 117.045, each precinct is required to have 4 election officers (2 judges, 1 clerk, and 1 sheriff of election). Per statute, each election officer is paid a minimum of \$10 for attending a mandatory training session before Election Day and a minimum of \$60 per Election Day and mileage. Using Franklin County as an example, election officers

receive \$20 for training and \$145 for working on Election Day. KRS 117.343, does provide for reimbursement of 0.50 per registered voter to the counties for the cost of employing personnel necessary to conduct elections. Additionally, a savings in any expense related to the closed precinct location would be realized.

The proposals related to the appointments of county board of election members and precinct officers will have minimal, if any, cost directly associated with them.

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

HB 388 HCS 1 keeps the provisions of HB 388 as introduced and adds the following:

- forbids the mailing of absentee ballots to a voter's residential address except under certain exceptions;
- changes the date that the county clerk shall have the ballots ready for use.
- the requirements regarding the quality of paper has been deleted;
- allows the county attorney to appoint someone to attend election officer training sessions; and
- removes the requirement that the county attorney or his or hers designee must attend election officer training.

**Data Source(s):** LRC staff.

**Preparer:** Wendell F. Butler      **Reviewer:** KHC      **Date:** 2/14/20