Local Government Mandate Statement Kentucky Legislative Research Commission 2020 Regular Session

Part I: Measure Information

Bill Request #: 1271
Bill #: _ HB 405 HCS
Document ID #: 7239
Bill Subject/Title: AN ACT proposing to amend Sections 97, 99, 119, and 122 of the Constitution of Kentucky relating to terms of Constitutional offices.
Sponsor: Representative Jason Nemes
Unit of Government: City x County x Urban-County Unified Local x Government
Office(s) Impacted: County clerks
Requirement: <u>x</u> 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 405 HCS on local governments due to adding a constitutional amendment to a ballot would be minimal. There would also likely be minimal savings resulting from commonwealth attorneys and district judges appearing less frequently on ballots.

HB 405 HCS proposes to amend Sections 97, 99, 119, and 122 of the Constitution of Kentucky to increase the term of office for Commonwealth's Attorneys from six years to eight years beginning in 2030 and to increase the term of office for district judges from four years to eight years beginning in 2022. It proposes to increase the requirement of being a licensed attorney from two years to eight years for district judges beginning in 2022 and exempts any person serving as a District Judge on the effective date of the Act from the eight-year licensure requirement. HB 405 HCS provides ballot language for submission to voters for ratification or rejection.

Section 256 of the Kentucky Constitution specifies that constitutional amendments are only added to the ballot for the general election in even-numbered years. Therefore the constitutional amendment would be submitted to the voters in November, 2020.

According to Harp Enterprises, a vendor that provides electronic voting machines to 96 Kentucky counties, the costs would range from \$15 per precinct for larger counties such as Fayette with 291 precincts to \$45 per precinct for counties such as Franklin with 44 precincts. For example, the cost to add a new category to the ballot for Lexington-Fayette Urban County Government, with 291 precincts, has recently been estimated at between \$3,500 and \$4,500, and for Franklin County, with 44 precincts, the cost has been estimated at between \$1,700 and \$2,500.

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

HB 405 HCS makes no appreciable change to the fiscal impact of HB 405 and retains original provisions of HB 405 except for removal of provisions changing the terms of Circuit Court Clerks and County Attorneys. HB 405 HCS begins the increase in the term of office for Commonwealth's Attorneys from six years to eight years in 2030; begin the increase in the term of office for judges of the district court from four years to eight years in 2022.

Data Source(s): Kentucky Association of Counties; Kentucky Association of County

Clerks; Harp Enterprises.

Preparer: H. Marks Reviewer: KHC Date: 3/13/20