



**Section 2:**

Reduces the voter registration period from 28 days to 21 days prior to any primary, regular, or special election.

Expands the list of forms by which a voter may register to include forms prescribed by the Election Assistance Commission pursuant to the Help America Vote Act of 2002.

**Section 3:**

Provides that a voter seeking to vote in the primary of a particular party must be a registered member of the party for no less than 21 days immediately preceding the primary. Currently, the deadline is December 31 immediately preceding a primary.

**Section 4:**

Expands the voters who can serve as precinct election officers. If no members of one of the two political parties are available or willing to serve, the county clerk shall select one voter of independent status, or one member of any political organization not constituting a political party as defined in KRS 118.015 but whose candidate received 2% of the vote in the last election for presidential electors, to serve as a judge at a voting place. Additionally, the county clerk may not select two judges with the same political affiliations.

KRS 118.015 defines a "political party" as *“an affiliation or organization of electors representing a political policy and having a constituted authority for its government and regulation, and whose candidate received at least twenty percent (20%) of the total vote cast at the last preceding election at which presidential electors were voted for.”*

If the county board of elections fails to select alternate precinct election officers from the original list of nominees for precinct election officers, the county clerk shall select an adequate number of alternate precinct election officers at which time the precinct election officers and alternates shall be submitted to the county board of elections for its approval. Precinct workers can be of independent status or a member of any political organization not within the meaning of KRS 118.015.

Allows election officers to serve a minimum of 6 ½ hours per election day provided a successor election officer is available. Procedures for the transfer of duties to the successor election officer are provided.

**Section 5:**

HB 596 clarifies that the county board of elections may designate a single voting location for more than one precinct. One voting machine may be used if that machine is capable of tabulating separate ballots. For locations hosting more than one precinct, the county board of elections may petition the State Board of Elections to consolidate precinct election officers.

**Section 6:**

Lessens the time from fourteen days to seven days before an election that a voter may apply for an absentee ballot due to a medical emergency. Along with the voter's spouse, his or her children and parents may apply for the absentee ballot on the voter's behalf.

**Section 7:**

Expands the reasons for which a voter can request a mail-in absentee ballot or elect to vote by in-person absentee to include:

- those voters unable to be at the polls because his or her employment hours prevent the voter from voting at the polls on election day;
- bereavement, or serious injury or illness of a family member; and
- essential service personnel schedule to work during all hours the polls are open including:
  - o firefighters, law enforcement officers, emergency responders;
  - o emergency medical services including EMTs, paramedics, and medical evacuation pilots;
  - o emergency management;
  - o hazardous materials handler or extrication and rescue, including water rescue;
  - o physician, physician assistant, nurse practitioner, or registered nurse;
  - o mental health practitioner;
  - o public health practitioner.

**Section 11:**

Requires that within three days after any primary or general election, the precinct election sheriff (appointed by the county board of elections) serving when the polls are closing shall file a report with the local grand jury inclusive of any irregularities observed by the sheriff serving when the polls opened. The report should include recommendations for improving the election process.

**Section 12:**

Extends the length of time polls from 6 p.m. prevailing time to 7 p.m. prevailing time. The precinct election sheriff shall wait in line with the last voter who shall be permitted to vote after determining they are the last voter in line as of 7 p.m. After the last voter has voted, the polls shall then be closed.

**The fiscal impact of HB 596 on these counties could be minimal to moderate.** If county boards of elections petition and receive approval from the State Board of Elections to implement county-wide voting options, the primary costs will depend on the number of machines the county puts into service. There will also be personnel costs regarding staffing and the related training necessary to staff the additional locations.

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.

KRS 117.066 currently allows for the precincts with a small number of voters to utilize voting facilities and election officers of larger precincts. Additionally, the county board of elections may petition the State Board of Elections to allow the precinct election officers of the larger precinct to serve as precinct election officers for the precinct that is the subject of the petition.

The Secretary of State expressed concern in regards to having county-wide ballots available at multiple locations.

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.

Lastly, and depending on the number of essential service personnel opting for in-person absentee voting, the clerk's office might need additional staffing to implement in-person absentee voting days. Likewise, a significant increase in mail-in absentee ballots might generate a need for personnel. This would affect the larger counties more so due to the greater number of essential service personnel.

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

Part II, above, pertains to the bill as introduced

**Data Source(s):** LRC Staff, Secretary of State, Harp Enterprises, Individual County Clerks

**Preparer:** Wendell F. Butler      **Reviewer:** KHC      **Date:** 3/9/20