Local Government Mandate Statement Kentucky Legislative Research Commission 2020 Regular Session

Part I: Measure Information

Bill Request #: 1159						
Bill #: SB 3 GA						
Document ID #:						
Bill Subject/Title: AN ACT proposing to amend Section 95 of the Constitution of Kentucky.						
Sponsor: Senator Christian McDaniel						
Unit of Government:CityxCountyxUrban-CountyxCharter CountyxConsolidated LocalxGovernment						
Office(s) Impacted: County clerks; budgets of local governments.						
Requirement: <u>x</u> Mandatory Optional						
Effect on Powers & Duties: <u>x</u> Modifies Existing <u>Adds New x</u> Eliminates Existing						

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

SB 3 GA proposes to amend Section 95 of the Constitution of Kentucky to hold the election of the Governor, Lieutenant Governor, Treasurer, Auditor of Public Accounts, Attorney General, Secretary of State, and the Commissioner of Agriculture, Labor and Statistics in even-numbered years, every four years, beginning in 2028 and provides a transitional calendar. The proposed amendment is to be submitted to voters for ratification or rejection using the language provided for in Sections 1, 2, and 3 of the Act. If voters ratify the constitutional amendment, elections for Constitutional Officers would be moved from 2027 to 2028, and every four years thereafter, resulting in primary and general elections in Kentucky being held only in even-numbered years.

Savings of SB 3 GA to local governments due to eliminating a primary and general election would be significant, provided that voters ratify the constitutional amendment.

Assuming the following recent (2019) average election cost estimates: approximately 3,735 precincts at \$4,000 per precinct in total costs (\$2,000 each for primary and general elections); and state reimbursement of \$398 per precinct (\$199 each for primary and general elections), the statewide savings to local governments could be about \$13.5 million during the calendar year of the eliminated primary and general election.

Applying an inflationary factor to determine savings starting in calendar year 2027 (first year in which odd-number year primary and general elections would be eliminated under this legislation) may be inappropriate, and likely inaccurate, given population shifts, potential advances in voting technology (on-line voting), potential requirements for paper ballots, and changes in the state reimbursement rate and compensation to poll workers (recently set by counties, with a minimum of \$10 for one mandatory training session and a minimum of \$60 for election day).

The immediate costs of SB 3 GA to local governments due to adding a constitutional amendment to a ballot would be minimal.

Section 256 of the Kentucky Constitution specifies that constitutional amendments are only added to the ballot for the general election in even-numbered years ("next general election for members of the House of Representatives"). Therefore the constitutional amendment would be submitted to the voters in November, 2020. There are additional programming costs associated with adding a new category to the ballot on a scheduled statewide election. According to Harp Enterprises, a vendor that provides electronic voting machines to most of Kentucky's counties, the costs would range from \$15 per precinct for larger counties such as Fayette with 286 precincts (\$4,004) to \$45 per precinct for counties such as Franklin with 44 precincts (\$1,980).

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

The bill passed original chamber without any amendments or committee substitutes. Therefore the LM statement to the GA version is the same as the LM statement to the bill as introduced.

Data Source(s):	LRC Staff; Kentucky County Clerks' Association; Kentucky Association			
	of Counties; Harp Enterprises			

Preparer:	H. Marks	Reviewer:	KHC	Date:	1/21/20
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