Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

Part I: Measure Information

Bill Request #: 217
Bill #: HB 51
Document ID #: 538
Bill Subject/Title: AN ACT relating to polling places.
Sponsor: Representative Buddy Wheatley
Unit of Government: City X County Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: County clerk
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

HB 51 would extend the length of time for voting at the polls from 6 p.m. prevailing time to 7 p.m. prevailing time. As allowed by current law, the precinct election sheriff must wait in line with the last voter who would be permitted to vote, and must inform any person who subsequently arrives that no other person could vote.

Also, the county board of elections, the county clerk, and the person allowed to be present for the counting of absentee ballots would not be permitted to make public the absentee ballot results until after 7 p.m., rather than 6 p.m. as currently allowed.

HB 51 would have a minimal to moderate negative fiscal impact on counties, depending on the number of polling places, rental agreements, availability of poll workers, and current election funding. There would be additional costs for county clerk offices associated with the expanded hour for voting.

According to the Secretary of State's Office, the bill could potentially increase costs for rental of polling places for the added hour. County clerks will need increased funds to help pay poll workers. County clerks receive some funding from the State Board of Elections, but the funding has not been increased for decades. Each individual county sets the rates for paying its poll workers.

The State Board of Elections reports that the state pays each county clerk \$0.34 per voter who was registered at the time of the election. (KRS 117.343 allows payment up to \$0.50 per registered voter, but this is contingent upon funding.) Reimbursement is based on personnel expenses and is only reimbursed after a primary election. The eligibility of the county varies because of the number of registered voters at the time of the election. Also, under KRS 117.345, which allows payment of \$255 per precinct, each fiscal court is actually paid \$200 per precinct registered in the county upon certification of the election as reimbursement to the county for election related expenses. The difference between the statutory and actual amounts is attributable to General Assembly funding.

The funds currently received are not sufficient to cover election costs, and the counties must cover the remainder.

The Kentucky County Clerks' Association reports that there would be costs associated with expanding the polling hours. In addition, this would make recruiting of precinct workers even more difficult than is currently the case.

The Fayette County Clerk reports that there may be a need to split shifts because of the lengthy day. If that is the case, then election officer costs would increase by approximately 50%. There would also be security considerations because, for example, officers in the afternoon would not know about voters from the morning shift. The clerk also said that recruiting poll workers would be an even larger challenge.

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

Part II, above, refers to the bill as introduced.

Data Source(s): LRC staff; Secretary of State; State Board of Elections; Kentucky County

Clerk's Association; Fayette County Clerk

Preparer: Robert Jenkins **Reviewer:** KHC **Date:** 2/2/21