Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

Part I: Measure Information

Bill Request #:280
Bill #: HB 82
Document ID #: 1091
Bill Subject/Title: AN ACT proposing an amendment to the Constitution of Kentucky relating to the recall of elected officials.
Sponsor: Representative James Tipton
Unit of Government: City X County X Urban-County Unified Local 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 Port H. Bill Provisions and the Estimated Figure Langet Relating to Lead.

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

HB 82 would propose an amendment to the Kentucky Constitution to allow the recall of every elected official, except judges of the Court of Justice, by the voters of the state, district, county, city, or town from which the official was elected.

By the language of the bill and as allowed by Kentucky Constitution Section 256, the proposed amendment would be submitted to the voters at the next regular election at which members of the General Assembly are chosen and in a year in which there is no election for the President and Vice President of the United States. This means that the proposed amendment would be considered in November 2022.

The costs of HB 82 to local governments due to adding a constitutional amendment to a ballot would be minimal. Based on information received in early 2020 from Harp Enterprises, a vendor that provides electronic voting machines to almost 100 Kentucky counties, there are additional programming costs associated with adding a new

constitutional amendment to the ballot on an already scheduled statewide election. For example, the cost to add a new category to the ballot for Lexington-Fayette Urban County Government, with 286 precincts, was estimated at between \$3,500 and \$4,500, and for Franklin County, with 44 precincts, the cost was estimated at between \$1,700 and \$2,500.

There could be additional costs associated with extra paper (if the ballot language requires additional space) for paper ballots and absentee voting. It has been estimated that the cost of one extra page for a single ballot is \$0.25, depending on the county's printing contract. Therefore, the total cost would depend on the number of paper ballots that would need the extra page.

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; Fayette County Clerk; Harp Enterprises

Preparer: Robert Jenkins **Reviewer:** KHC **Date:** 2/1/21