

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2021 Regular Session**

Part I: Measure Information

Bill Request #: 221

Bill #: SB 262

Document ID #: 5128

Bill Subject/Title: AN ACT relating to elections.

Sponsor: Senator Gerald Neal

Unit of Government: City County Urban-County
Unified Local
 Charter County Consolidated Local Government

Office(s) Impacted: County clerk offices

Requirement: Mandatory Optional

Effect on
Powers & Duties: Modifies Existing Adds New Eliminates Existing

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

SB 262 would permit any qualified voter the ability to vote in-person absentee during normal business hours on at least any of the 12 working days and two Saturdays before an election. The county clerk must equip the in-person absentee voting machine with the necessary supplies for the purpose of write-in votes at least five days before the in-person absentee ballot voting period begins.

SB 262 would have a minimal fiscal impact on local governments. Allowing additional time (two Saturdays) for in-person absentee voting would increase county clerk staff costs for the elections.

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.

There is no requirement in the bill that in-person absentee voting must take place at a location other than the county clerk's office or that additional precinct election officers be retained. More locations could be approved upon application to the State Board of Elections, but that would be at the request of the county board of elections. KRS 117.085, which governs procedures for in-person voting, permits members of the county board of elections or their designees to serve as precinct election officers, **without pay**, for those days in which in-person absentee voting is conducted. If the members do so serve, then "the county clerk or deputy county clerks shall supervise the in-person absentee voting."

If in-person absentee voting were to occur at additional locations, there could be costs associated with location rental, extra voting machines, duplicate rosters and voter rolls, and possible temporary labor.

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

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

Data Source(s): LRC staff; State Board of Elections; Kentucky County Clerks' Association

Preparer: Robert Jenkins **Reviewer:** KHC **Date:** 3/12/21