

Sections 3, 4 and 5 of the bill direct the Secretary of State to take the actions required by the Constitution to publish the proposed amendment and to certify the question to the county clerk of each county. Each county clerk shall then have the entire question and proposed certified amendment placed on the ballot provided to voters. The county fiscal court is responsible for election costs.

The fiscal impact of SB 141 requiring local governments to add a constitutional amendment to a ballot would be minimal, though for counties with smaller budgets the impact may be minimal to moderate. 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 2022. Balloting and publishing proposed constitutional amendments is a regular duty of county clerks, paid for by the county fiscal court.

According to information received in early 2020, Harp Enterprises, a vendor which provides electronic voting machines to almost 100 Kentucky counties, there are additional programming costs associated with adding a new category (local option question or 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, has recently been estimated at between \$3,500 and \$4,500, and for Franklin County, with 44 precincts, the cost has been estimated at between \$1,700 and \$2,500.

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

Part II applies to SB 141 as introduced. There is no prior version for comparison.

Data Source(s): LRC staff; Harp Enterprises

Preparer: Mary Stephens (WB) **Reviewer:** KHC **Date:** 2/10/22