



**SB 149 Section 3** would apply this limitation to the Governor’s power to pardon persons who have participated in a duel.

**Sections 4, 5 and 6** 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 149 requiring county clerks 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 proposed 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 90 to 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 been estimated at approximately \$12 to \$15 per precinct, for a total between \$3,500 and \$4,500, and for Franklin County, with 44 precincts, the cost has been estimated at approximately \$39 to \$57 per precinct, for a total between \$1,700 and \$2,500. These estimates are based on data received in 2020 which is the latest data provided by Harp Enterprises. It is likely estimates would be higher now but no data has been made available to inform a more current estimate.

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

Part II applies to SB 149 GA version. The GA version of SB 149 is the same as the bill introduced. SB 149 passed its chamber of origin without any amendments or substitutes.

**Data Source(s):** LRC staff, Harp Enterprises

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