## **Local Government Mandate Statement Kentucky Legislative Research Commission** 2022 Regular Session

## **Part I: Measure Information**

Bill Request #: _2272
Bill #: SB 338
<b>Document ID #:</b> 7049
Bill Subject/Title: AN ACT relating to elections.
Sponsor: Senator Gerald A. Neal
Unit of Government: X City X County X Urban-County
X       Charter County       X       Consolidated Local       X       Government
Office(s) Impacted: County Clerks
Requirement: X Mandatory Optional
Effect on Powers & Duties: Modifies ExistingX Adds New Eliminates Existing
Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government
SB 338 allows for the casting of a mail-in absentee ballot as a matter of convenience.
SB 388 would also allow in-person absentee voting to be conducted for at least the 12 working days, including 2 Saturdays immediately preceding the Sunday before a primary or general election.

SB 388 requires the county board of elections to ensure at least one vote center is petitioned

for and used in each county.

The fiscal impact of SB 388 on local governments could be moderate to significant.

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. 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 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.

The Kentucky County Clerks Association was contacted for input. From a cost standpoint, in the short run, this would definitely cost more money, given the uncertainty about how Kentucky voters would chose to vote. That means not as many precincts consolidated, lots of extra ballots printed at each precinct, and many extra envelopes purchased. Counties would have to over-prepare for each type of voting (mail, early in person, and election day). Eventually, counties may be able to better estimate expenses.

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

Part II refers to SB 388 as introduced. There are no prior versions of this bill.

**Data Source(s):** LRC Staff, County Clerks, State Board of Elections

**Preparer:** Wendell F. Butler **Reviewer:** KHC **Date:** 3/22/22