Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

Part I: Measure Information

Bill Request #: 1185
Bill #: HB 214
Document ID #:2730
Bill Subject/Title: AN ACT relating to elections.
Sponsor: Representative John Hodgson
Unit of Government: City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: County Clerk
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing X Adds New Eliminates Existing

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

HB 214 requires the Attorney General (referred to herein as the AG and shall include the AG's designee) to begin an independent inquiry for election irregularities in each of Kentucky's 120 counties within 20 days following a primary or general election. Current law stipulates an inquiry shall be done in no fewer than 12 randomly-selected counties.

The inquiry shall consist of a randomly-selected precinct and a randomly-selected race per county. The recount shall be conducted manually, hand-to-eye. Specific instructions are provided regarding how to conduct the hand-to-eye recount.

The fiscal impact of HB 214 on local governments is indeterminable. The proposal does not designate who is responsible for paying for the recount, but does mention randomly selecting community volunteers to perform the recount.

Hand counting of ballots would require considerably more personnel, money, and other resources, depending on the number of precincts, voters in a precinct, number of races on a ballot, and number of candidates in a race.

Staffing for ballot counts by hand would be difficult and a significant expense to counties if they are liable for the cost. Counties currently have a difficult time finding enough people to staff the polls during an election. Finding enough people to count paper ballots after the polls close would likely be even more difficult.

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

Part II refers to HB 214 as introduced. There are no prior versions.

Data Source(s): LRC Staff; Kentucky County Clerks Association

Preparer: WB (JB) Reviewer: KHC Date: 3/8/23