Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

Part I: Measure Information

Bill Request #: 946			
Bill #: HB 97			
Document ID #: <u>147</u>	8		
Bill Subject/Title: AN ACT proposing an amendment to Section 145 of the Constitution of Kentucky relating to voting rights.			
Sponsor: Representative Keturah J. Herron			
Unit of Government:		X County X Consolidated Loca	Unified Local
Office(s) Impacted:	County clerks		
Requirement: X	Mandatory Opt	ional	
Effect on Powers & Duties:	_ Modifies Existing	Adds New	Eliminates Existing

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

HB 97 **Section 1** would propose to amend the Kentucky Constitution to automatically restore voting rights to people who have been convicted of a felony, not involving treason, bribery in an election, or election fraud, after they've completed their ordered imprisonment, probation, or parole, and to automatically restore their civil rights five years after they've completed their imprisonment, probation, or parole.

Section 2 of the bill would propose amending other provisions of Section 145 of the Kentucky Constitution to conform. Section 2 would also amend Section 145 to establish that in order for a person to be disqualified from voting on the grounds of mental incompetence, the person must have been determined so by a court of competent jurisdiction.

By the language of the bill and as allowed by Section 256 of the Kentucky Constitution the proposed amendment would be submitted to the voters at the next regular election at

which members of the General Assembly are chosen. This means the proposed amendment would be considered in November 2024.

The fiscal impact of 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.

Balloting and publishing proposed constitutional amendments is a regular duty of county clerks, paid for by the county fiscal court. 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.

Ballot printing costs are also a factor in election expenses. If the proposed amendment results in additional pages needed for the ballot, that would be an additional cost to the county clerk's office. It has been estimated that the cost of one extra page for a ballot is \$0.25.

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

Part II applies to HB 97 as introduced. There is no earlier version for comparison.

Data Source(s): LRC staff

Preparer: Mary Stephens (JB) **Reviewer:** KHC **Date:** 2/8/23