Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 1059
Bill #: SB 10 GA
Document ID #: 3406
AN ACT proposing to amend Section 95 of the Constitution of Kentucky relating to the election of state officers.
Sponsor: Senator Christian E. McDaniel
Unit of Government: City X County Unified Local X Charter County X Consolidated Local X Government
Office(s) Impacted: County Clerks
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

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

SB 10 proposes submitting an amendment to Section 95 of the Kentucky Constitution to voters for ratification to hold the election of all statewide Constitutional officers in even-numbered years beginning after the November 2027 election.

If voters ratify the constitutional amendment, elections for Constitutional Officers would be moved from 2031 to 2032, and every four years thereafter, resulting in primary and general elections in Kentucky being held only in even-numbered years. Constitutional Officers elected in 2027 would have their terms increased by one year to accommodate the new election schedule.

The savings of SB 10 to local governments due to eliminating a separate primary and general election year would be significant, provided that voters ratify the constitutional amendment.

Assuming a recent (2023) estimate of 3,649 precincts; \$5,970 per precinct in total costs (\$2,985) each for primary and general elections; and state reimbursement of \$510 per precinct (\$255) each for primary and general elections, the savings to local governments would be about \$20 million during the calendar year of the eliminated primary and general election.

The costs of SB 10 to local governments due to adding a constitutional amendment to a ballot would be minimal.

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, 2024.

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 from 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.

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.

Data Source(s): Kentucky State Board of Elections; LRC Staff

Preparer: Jacob Blevins (LG) **Reviewer:** KHC **Date:** 1/17/24