Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 1635							
Bill #: SB 126 GA							
Document ID #: <u>6212</u>							
Bill Title: AN ACT proposing to amend Sections 77 and 240 of the Constitution of Kentucky relating to limiting the Governor's ability to grant pardons and commute sentences.							
Sponsor: Senator Christian E. McDaniel							
Unit of Government:	CityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment						
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

If ratified by voters, SB 126 GA would amend Sections 77 and 240 of the Constitution of Kentucky to limit the Governor's ability to grant pardons and commute sentences. The Governor would no longer be able to grant pardons or commute sentences for the period beginning thirty days prior to a gubernatorial election and ending the fifth Tuesday following the election.

The fiscal impact of SB 126 GA to county clerks 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, 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): <u>LRC Staff</u>

Preparer:	Jacob Blevins (LG)	Reviewer:	KHC	Date:	2/21/24
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