Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 1193						
Bill #: SB 169						
Document ID #:						
Bill Title: AN ACT relating to local boards of education.						
Sponsor: Senator Lindsey Tichenor						
Jnit of Government: City X County Multiple County Multiple County Multiple County Unified Local Multiple County						
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 169 proposes to amend KRS 160.190 to permit a local board of education member to be subject to a recall from the office for neglect of duty, as defined in Section 1, by method of petition. If the petition contains enough signatures and is regular on its face, the county clerk shall place the recall question on the ballot for the next regular election; if the petition is insufficient, the county clerk shall notify the petition committee in writing and allow for an amended petition to be submitted.

Section 4 of the bill proposes a new section of KRS Chapter 160 to create a new crime of any person that gives or receives money or any other thing of value for signing a petition for a recall election under Section 2 shall be guilty of a Class A misdemeanor.

The fiscal impact of SB 169 is expected to be minimal.

Balloting 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 to the ballot on an

already scheduled statewide election. Ballot printing costs are also a factor in election expenses. If additional pages are 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. This ballot addition would involve both primary and general elections, doubling the minimal expense.

The creation of a new crime is expected to have a minimal impact on local government. A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on an average cost to incarcerate of \$44.97 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$44.97 per day.

Data Source(s): <u>LRC Staff; Kentu</u>	<u>icky Departme</u>	nt of Corrections		
Preparer: La	auren Graves (JB)	Reviewer:	КНС	Date:	2/7/24