

SB 77 would require that, before certifying election results, the county board of elections compare the tallies of voters to the tallies of cast ballots and, if they match, certify the results as the official election result. If they don't match, the county board of elections shall:

1. File a report of the discrepancy with the local grand jury; and
2. Keep all tally sheets, papers, or notes; and
3. Recommend the State Board of Elections certify the election in net result only if the difference in tallied votes exceeds the number of discrepancies within a contest or if the contest is unopposed, or to request resources for further investigation by the board.
4. When the tally sheets have been certified the clerk shall announce the results and shall furnish a certified copy of the results, on request, to any candidate or any person present.

SB 77 would have a minimal fiscal impact on county clerks. Judges of elections are poll workers who are already tasked with tallying and comparing vote counts in one way. The new points of comparison may require some additional time; however, this is not expected to be particularly burdensome. The certification requirements pertaining to county boards of elections is also not expected to require a significant amount of additional work.

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

Preparer: Jacob Blevins (LG) **Reviewer:** KHC **Date:** 1/30/24