

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2025 Regular Session**

Part I: Measure Information

Bill Request #:	367	Bill #:	HB 684 GA
Document ID #:	6458	Sponsor:	Rep. Jennifer Decker
Bill Title:	AN ACT relating to elections.		

Unit of Government: City County Urban-County
 Charter County Consolidated Local Unified Local

Office(s) Impacted: County Clerks

Requirement: Mandatory Optional

Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

Other Fiscal Statement(s) that may exist: Actuarial Analysis Corrections Impact
 Health Benefit Mandate State Employee Health Plan

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

HB 684 GA is a broad bill with many provisions pertaining to elections. This document only covers provisions that have a fiscal impact on local government entities.

Section 1 would amend KRS 117.045 to allow for less than the required four precinct officers to be present at a consolidated precinct if a county board of elections requests it and the State Board of Elections approves.

Section 3 would amend KRS 117.066 to allow for county boards of election to petition to the State Board of Elections to amend their previously submitted petition to consolidate precincts up to 56 days before a special election. Currently, this deadline is 120 days.

KRS 117.086 requires that absentee ballot drop boxes are under video surveillance at all times. Section 6 would require that the system used to conduct video surveillance have enough storage capacity to retain 60 days of continuous recording data. An open records request for this video would have to be made within 60 days of an election, and the video

would be allowed to be disposed of after those sixty days if there is no ongoing related investigation or litigation.

Section 9 would amend KRS 117.265 to change the deadline for when write-in candidates have to declare intent to have votes for them counted before an election. The deadline for doing so would be moved from the fourth Friday in October preceding the date of a regular election to the certification deadlines established in subsection (1)(a) to (c) of Section 18 of this Act and KRS 118A.090(2).

KRS 117.383 requires that hand-to-eye ballot recount procedures be video recorded. Section 13 would require that an open records request for this video be made within 60 days of an election, and the video would be allowed to be disposed of after those sixty days if there is no ongoing related investigation or litigation.

Section 23 would amend language in KRS 119.165 related to a Class D felony. The language currently reads that a person who is lawfully registered to vote who is convicted of a felony offense and has not had their voting right restored who then knowingly votes or attempts to vote shall be guilty of a Class D felony. The amendment would no longer require that a person be lawfully registered to vote for this offense to apply.

HB 684 GA is expected to have a positive fiscal impact on county clerks.

Section 1 would reduce county clerk expenditures required to pay precinct officers if the State Board of Elections approves a reduced number in consolidated precincts.

Section 3 would allow clerks to change their election plans prior to special elections which would allow a county to reduce polling locations in the event that only one party nominates a candidate and there are no write-in candidates.

Section 6 and Section 13 would reduce the requirement for how long video data must be stored to 60 days. According to the Kentucky County Clerks Association, the Kentucky Department of Libraries and Archives currently require that this video data be retained for 22 months.

Section 9's provisions that move up the write-in declaration deadline would allow for counties to know exactly how many blanks to leave on a ballot for write-in candidates which could shorten the ballot and potentially result in a reduction in the number of pages that must be printed. 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.

Section 23 would remove one required criterion for a Class D felony which could result in an increased number of offenses. When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 full service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases

facility costs by an average cost to incarcerate of \$47.43, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$35.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): Harp Enterprises; Kentucky County Clerks Association; Kentucky Department of Corrections

Preparer: JB **Reviewer:** AS (MDA) **Date:** 3/11/25