

**Local Government Mandate Statement  
Kentucky Legislative Research Commission  
2026 Regular Session**

**Part I: Measure Information**

<b>Bill Request #:</b>	116	<b>Bill #:</b>	HB 139 GA
<b>Document ID #:</b>	6058	<b>Sponsor:</b>	Rep. Jennifer H. Decker
<b>Bill Title:</b>	AN ACT relating to elections and declaring an emergency.		

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

Office(s) Impacted:    County Clerks, Jails

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**

Section 1 of HB 139 GA would amend KRS 116.112 to allow the State Board of Elections to enter into intergovernmental agreements with other governmental agencies to exchange data to assist in investigating violations of election offenses.

Section 2 would amend KRS 116.200 to require that a change to a school district’s boundaries be reported to the county clerk immediately if the change is within sixty days of the June 1 deadline established as amended by Section 20 of this Act.

Section 3 would amend KRS 117.125 to require voting systems and equipment meet or exceed a standard approved by the Election Assistance Commission.

Section 4 would amend KRS 117.145 to require that county clerks provide voting equipment with the necessary supplies for write-in votes on the day before any in-person voting occurs.

Section 5 would amend KRS 117.265 to change the date a person running for President or Vice President must file a declaration of intent to be a write-in candidate to the same deadline as the certification of candidates.

Sections 6 and 7 would amend KRS 117.275 and KRS 117.355 respectively to require county boards of elections to deliver signature rosters and precinct results to the State Board of Elections and file a report with the Board of Elections and grand jury within 10 days after any primary or general election.

Section 8 would amend KRS 117.379 to require voting systems meet a previously established Election Assistance Commission standard.

Section 9 would amend KRS 117.389 to require county clerks to test automatic tabulating equipment after any petitions for local option elections have been filed.

Section 13 would amend KRS 118.129 to allow a contraction as an acceptable form of a candidate's name.

Section 14 would amend KRS 118.165 to require that candidates for Commonwealth's Attorney file nomination papers with the Secretary of State instead of with county clerks.

Section 16 would amend KRS 118.367 to specify that candidates for a special election or election for an unexpired term shall not be required to file a statement-of-candidacy form.

Section 18 would amend KRS 119.015 to remove the term "falsely" from a description of an action taken by a county clerk or deputy county clerk in "falsely or fraudulently" registering a voter that would qualify as a Class D felony.

Section 19 would amend KRS 119.165, relating to the penalty of a Class B misdemeanor regarding voters who vote at a regular or special election before being a citizen.

Section 20 would amend KRS 132.017 to require that questions as to whether the property tax rate shall be levied shall be submitted to voters in a common school election not less than 50 days nor more than 60 days from the date the signatures are validated. It would also require the school district holding the election to post bond with the Circuit Court to cover the costs of the election within 5 days after the petition is found to be sufficient.

Section 21 would amend KRS 160.210 to prohibit changes in the boundary of any division after June 1 in the year in which a school board member is to be elected;

**HB 139 GA would have a minimal positive fiscal impact on county clerks.**

According to the Kentucky County Clerk's Association, HB 139 GA would not significantly affect clerk operations or have a major fiscal impact. The provisions in

Section 4 and Section 21 may give clerks slightly more time to have operations in order before elections. Section 14 would remove a duty currently performed by clerks.

**HB 139 GA may have a small impact on jails due to the criminal offense provisions in Sections 18 and 19. The magnitude of the increase or decrease in the number of violations cannot be anticipated.**

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. 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 \$47.43 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 \$47.43 per day.

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):** LRC Staff; Kentucky County Clerk's Association

**Preparer:** JB **Reviewer:** AS (MDA) **Date:** 3/16/26