

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

Part I: Measure Information

Bill Request #:	1334	Bill #:	HB 534 HCS 1
Document ID #:	6005	Sponsor:	Rep. D.J. Johnson
Bill Title:	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

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 2 of HB 534 HCS 1 would require a special election to be held in the event that the majority of the membership of a legislative body is vacated as a result of a judgement by a Circuit Court because of an election error due to no fault of any candidate or due to fraud.

Section 3 would require that individuals who have been identified as noncitizen be required to verify their citizenship in order to vote. To do so, they would have to provide one of a list of documents to their county clerk to prove their citizenship. The county clerk would be required to make a copy of the document and record it in the voter registration system.

If an individual identified as a noncitizen appears at a voting location, they may provide one of a list of valid documents to the election officer who must make a copy of it and allow the voter to cast a ballot. The copy must be provided to the county clerk at the end of the day. The county clerk would then be required to record the copy of the document in the voter’s registration that indicates that the voter is a noncitizen.

If an individual identified as a noncitizen appears at a voting location without presenting one of the list of valid documents, the election officer must allow them to cast a

provisional ballot only after the voter has attested under penalty of perjury that they are a citizen on a form provided by the State Board of Elections.

Section 6 prohibits the State Board of Elections from approving voting equipment that uses non-human readable codes, such as QR codes or bar codes.

Section 9 would require county clerks to send a list of scanners to the Secretary of State's office that includes ballot scanners which recorder more than ten votes cast.

Section 12 allows a contestant of an election to recover court costs from the local board of elections if they are successful in their challenge. The fees and costs would be taxed by the court against the local board of elections or against any party adjudicated to have engaged in fraud, intimidation, bribery, or violence that prevented the contestant or contestee from being fairly elected.

HB 534 HCS 1 is expected to have a significant negative fiscal impact on county clerks.

According to the State Board of Elections, the average cost to a county for the general election in 2022 was \$2,730.77 per precinct and the average cost for the primary election in 2023 was \$2,699.59 per precinct. The cost of a special election may differ from these figures. The frequency of special elections triggered by the conditions in Section 2 cannot be anticipated.

There would be costs associated with replacing or altering voting machines to comply with Section 6 of HB 534 HCS 1.

According to the Kentucky County Clerk's Association, Section 3 would be costly for county clerks for several reasons:

- The cost of purchasing and maintaining a high-resolution scanner and computer (and potentially an internet connection) at each of the 1750 different voting locations;
- The cost of training precinct officers to prepare them for processing documents at voting locations;
- The potential cost of purchasing new office equipment to process documentation; and
- The cost of training office staff to process sensitive documents.

Section 12 would have a negative fiscal impact on county boards of elections that are found to have prevented a contestant or contestee from being fairly elected.

Data Source(s): LRC Staff; Kentucky State Board of Elections; Kentucky County Clerk's Association

Preparer: JB **Reviewer:** BW (MDA) **Date:** 2/25/26