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## FISCAL IMPACT REPORT

ORIGINAL DATE 03/10/09

SPONSOR   HFI   LAST UPDATED \_\_\_\_\_ HB  CS/419/HFIS 

SHORT TITLE  Automatic Absentee Ballots for All Elections  SB \_\_\_\_\_

ANALYST  Ortiz 

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Attorney General's Office (AGO)

Secretary of State (SOS)

County Clerks Affiliate (CCA)

### SUMMARY

#### Synopsis of HFI Substitution

The second House Floor substitute to the first House Floor substitute for House Bill 419 would allow any New Mexico voter to be placed on a permanent absentee ballot application list by making a written request for such placement. At least 45 days before an election, the county clerks would automatically send voters on the list an absentee ballot application for any election. A voter would only be removed from the ballot if s/he either requests removal or is placed on the inactive voter rolls, or if an absentee ballot mailed to the voter is returned as undeliverable. However, failing to complete and return an absentee ballot would not remove the voter from the permanent absentee voter list.

The difference between the first House Floor substitution and the second is that the second removes the language indicating that the application must include space for the voter's name, residence address, mailing address, date of birth and signature.

### SIGNIFICANT ISSUES

The Attorney General's Office provides the following statistics. In the 2008 election, 41.7% of the voters in New Mexico cast their ballots by early voting. 20.7% of New Mexico voters voted

by mail. The 833,365 New Mexicans who voted in the 2008 general election represented a 10.1% increase over the 775,301 New Mexicans who voted in the 2004 general election. In addition to these numbers (which represent an admittedly small sample size), a great deal of academic research indicates that absentee and early, mail-in voting dramatically increase voter participation.

Although this does not eliminate early voting and Election Day voting, it is important to recognize that all mail-in elections would address the fundamental right to vote on an equal basis. Mail balloting has several advantages over traditional polling. First, it is cost effective. Second, it has resulted in increased participation among voters. Third, it is easier for election officials to conduct. Fourth, it allows for a more accurate picture of eligible voters, by keeping voting lists up-to-date. Fifth, it gives voters a longer opportunity to study the ballot and find answers to their questions.

For example, between 1995 and 1997 in Oregon, counties saved over \$1 million on three vote-by-mail special elections. If, during that same period, primary and general elections had been conducted by mail, Oregon counties could have saved an additional \$3 million.

In New Mexico, the 2008 general election cost were \$5.2 million and 2.6 million ballots were ordered, of those 1.8 million were unused. Prior to enactment of all paper ballot elections, costs to conduct an electronic election was \$1.2 million.

### **ADMINISTRATIVE ISSUES**

The County Clerks Affiliate express concern by the increased workload this bill creates. They explain, “In addition to mailing out all the regular requests for absentee ballots, we will be doing mass mailings of applications to those on the list. Isn’t the purpose of this [bill] to automatically mail ballots to those on the permanent list? This will create an enormous amount of work and expense. Increased postage and increased temp employees to handle this.”

### **OTHER SUBSTANTIVE ISSUES**

There are several concerns raised by the County Clerks Affiliate: 1.) people request an absentee ballot then move but fail to notify the county clerk, which results in purchasing ballots unnecessarily. 2.) people request permanent absentee ballots, forget they’ve made the request, show up to vote early or on election day and get frustrated because they’re marked as having receiving an absentee ballot.

EO/mt:svb