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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/25/09

SPONSOR Anderson LAST UPDATED \_\_\_\_\_ HJR 15

SHORT TITLE Gubernatorial Succession Sequence, CA SB \_\_\_\_\_

ANALYST Hoffmann

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

No Response

Secretary of State (SOS)

### SUMMARY

#### Synopsis of Bill

House Joint Resolution 15 proposes an amendment to the Constitution of New Mexico to change the sequence of gubernatorial succession.

Article 5, Section 7 of the Constitution of New Mexico currently provides that if there is a vacancy in the office of the governor, the lieutenant governor shall act as governor; if there is no lieutenant governor, then the secretary of state shall act as governor. Should there be no secretary of state, the president pro tempore of the senate shall act; should there be no president pro tempore of the senate, then the speaker of the house shall act as governor.

House Joint Resolution 15 would reverse the sequence of succession after the lieutenant governor to speaker of the house, president pro tempore of the senate, and then the secretary of state.

## **House Joint Resolution 15 – Page 2**

Should House Joint Resolution be passed by both houses of the Legislature, the constitutional amendment proposed shall be submitted to the people for their approval or rejection at the next general election or any special election prior to that date that may be called for that purpose.

### **FISCAL IMPLICATIONS**

House Joint Resolution 15 makes no appropriations.

### **SIGNIFICANT ISSUES**

The AGO<sup>1</sup> reports that House Joint Resolution 15 raises no significant issues because no new material language has been added to Section 7, but the original order of succession has been modified.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

By not enacting the House Joint Resolution 15, the order of gubernatorial succession would remain the same.

CH/mt

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1 The Attorney General's Office analysis includes the following disclaimer. This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Opinion letter. This is a staff analysis in response to the agency's, committee's or legislator's request.