

1 SENATE BILL 387

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Peter Wirth

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10 AN ACT

11 RELATING TO CAMPAIGN FINANCE; AMENDING THE CAMPAIGN REPORTING
12 ACT; REQUIRING A CONTRIBUTION TO BE DEPOSITED IN A SEGREGATED
13 BANK ACCOUNT TO BE EXEMPT FROM THE INDEPENDENT EXPENDITURE
14 REPORTING REQUIREMENTS.

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 1-19-27.3 NMSA 1978 (being Laws 2019,
18 Chapter 262, Section 1) is amended to read:

19 "1-19-27.3. INDEPENDENT EXPENDITURES--REPORTING
20 REQUIREMENTS.--

21 A. A person who makes an independent expenditure
22 not otherwise required to be reported under the Campaign
23 Reporting Act shall file a report with the secretary of state
24 within:

25 (1) three days of making the expenditure if

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1 the expenditure, by itself or aggregated with all independent
2 expenditures made by the same person during the election cycle,
3 exceeds one thousand dollars (\$1,000) in a nonstatewide
4 election or three thousand dollars (\$3,000) in a statewide
5 election; or

6 (2) twenty-four hours of making the
7 expenditure if the expenditure is in an amount of three
8 thousand dollars (\$3,000) or more and is made within seven days
9 before a nonstatewide or statewide election.

10 B. The report required by Subsection A of this
11 section shall state:

12 (1) the name and address of the person who
13 made the independent expenditure;

14 (2) the name and address of the person to whom
15 the independent expenditure was made and the amount, date and
16 purpose of the independent expenditure. If no reasonable
17 estimate of the monetary value of a particular expenditure is
18 practicable, it is sufficient to report instead a description
19 of the services, property or rights furnished through the
20 expenditure; and

21 (3) the source of the contributions used to
22 make the independent expenditure as provided in Subsections C
23 and D of this section.

24 C. A person who makes independent expenditures
25 required to be reported under this section in an amount

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1 totaling three thousand dollars (\$3,000) or less in a
2 nonstatewide election or nine thousand dollars (\$9,000) or less
3 in a statewide election shall report the name and address of
4 each person who has made contributions of more than a total of
5 two hundred dollars (\$200) in the election cycle that were
6 earmarked or made in response to a solicitation to fund
7 independent expenditures and shall report the amount of each
8 such contribution made by that person.

9 D. A person who makes independent expenditures
10 required to be reported under this section in an amount
11 totaling more than three thousand dollars (\$3,000) in a
12 nonstatewide election or nine thousand dollars (\$9,000) in a
13 statewide election, in addition to reporting the information
14 specified in Subsection C of this section, shall either:

15 (1) if the expenditures were made exclusively
16 from a segregated bank account consisting only of funds
17 contributed to the account by individuals to be used for making
18 independent expenditures, report the name and address of, and
19 amount of each contribution made by, each contributor who
20 contributed more than two hundred dollars (\$200) to that
21 account in the election cycle; or

22 (2) if the expenditures were made in whole or
23 part from funds other than those described in Paragraph (1) of
24 this subsection, report the name and address of, and amount of
25 each contribution made by, each contributor who contributed

