

NOTE: As provided in LFC policy, this report is intended for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used in any other situation.

Only the most recent FIR version, excluding attachments, is available on the Intranet. Previously issued FIRs and attachments may be obtained from the LFC office in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR: Picraux DATE TYPED: 3/09/01 HB 827/aHVEC/aHJC
 SHORT TITLE: Voter Identification by Signature SB _____
 ANALYST: Moran

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 250.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with SB 802

SOURCES OF INFORMATION

Secretary of State
LFC Files

SUMMARY

Synopsis of HJC Amendment

This amendment simplifies the Secretary of State's role in providing counties the resources necessary for compliance with the bill, striking the notion that the will assist counties and instead supplanting this notion with the position of distributing resources.

Synopsis of HVEC Amendment

This amendment is technical in nature. It seeks to clarify the bill's original intent by providing more precise language and removing language that could be redundant.

Synopsis of Original Bill

HB 827 appropriates \$ 250,000 from the general fund to the Secretary of State for the purpose of creating a program of voter identification by use of digital signature scanning. This appropriation would be used to assist counties in purchasing the digital facsimile scanners and would be available to spend in FY02 and FY 03.

Significant Issues

If enacted, this bill would require that signature rosters at polling places contain digital facsimiles of all voters on the roster. A voter would sign the roster before voting, and if the signature did not match the digital facsimile, then the voter would vote on an emergency paper ballot for later verification. The precinct board at the polling location is allowed to determine validity if certain factors, such as age or disability, play into the disparity between signatures. Also, voters qualifying for assistance, under 1-12-12 NMSA 1978, are exempt from these requirements.

This bill would require those counties with digital facsimile capability to comply with the bill's provisions by the 2002 primary election; all other counties must comply by the 2004 primary election.

FISCAL IMPLICATIONS

The appropriation of \$ 250.0 contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY03 shall revert to the general fund.

ADMINISTRATIVE IMPLICATIONS

According to the Secretary of State, this bill would pose moderate impact in coordinating the installation of digital scanning systems.

CONFLICT

SB 802

OTHER SUBSTANTIVE ISSUES

It is unclear if HB 827 places the Secretary of State as solely responsible for procuring the digital facsimile scanners for every county and voting precinct in New Mexico. If the Secretary of State is responsible for purchasing these scanners, then it could be assumed that there will long term costs, insofar as there will be a necessity to purchase more scanners in the future.

Also, if this bill creates a type of pilot program, whereby of these scanners are being tested in a select number of counties, then there could be violations of the Voting Rights Act of 1965, in that some voters would be required to go through a process that other voters do not. This is merely speculation, however, and should be resolved by a cursory review by the Attorney General's office.

RJM/njw