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## FISCAL IMPACT REPORT

SPONSOR: McSorely DATE TYPED: 02/21/01 HB \_\_\_\_\_  
 SHORT TITLE: Allow Non-Citizens to Own Land SB SJR 22  
 ANALYST: Burch

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
		**	**	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

\*\* Please see Fiscal Implications section of this report.

Duplicates House Joint Resolution 29

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### SOURCES OF INFORMATION

LFC files  
 Attorney General  
 State Engineer

### SUMMARY

#### Synopsis of Bill

Senate Joint Resolution 22 proposes to repeal Section 22 of Article 2 of the New Mexico Constitution which currently prohibits aliens from owning land or any interest in land in the state unless otherwise provided by law.

#### Significant Issues

Section 45-2-111 NMSA 1978, originally enacted in 1975 and amended in 1993, permits aliens who are ineligible for U.S. citizenship to acquire interests in real estate in New Mexico and suspends the constitutional prohibition. If adopted, the proposed repeal of the prohibition would not significantly affect the current ability of aliens covered by Section 22 of Article 2 of the New Mexico Constitution to acquire interests in real estate. However, this constitutional provision would remain and become effective should the statutory provisions suspending the prohibition be repealed.

**FISCAL IMPLICATIONS**

The next general election that would include constitutional questions on the ballot will be in November 2002. The Secretary of State reports it costs \$30.0 to place an item on the ballot. Included in the cost is: (1) the publishing of constitutional amendments in English and Spanish for four consecutive weeks in one newspaper in each county of the state; (2) the oral translation and radio broadcast into the Native American languages of Tewa, Tiwa, Towa, Keres, Zuni, Mescalero Apache, Jicarilla Apache and Navajo; and (3) the printing of amendments booklets in English and Spanish (including Spanish language translation cost) and distribution to all county clerks (100,000 booklets were printed for 2000 general election). Therefore, there would be a nonrecurring cost to the general fund of \$30.0 in FY03. There is no appropriation contained in the bill for this purpose.

DKB/prr