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## FISCAL IMPACT REPORT

SPONSOR: Anderson DATE TYPED: 02/20/03 HB 89/aHJC

SHORT TITLE: MVD and Selective Service System SB \_\_\_\_\_

ANALYST: Hayes

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates SB 316

### SOURCES OF INFORMATION

Responses Received From  
 Taxation and Revenue Department (TRD)  
 Department of Military Affairs

### SUMMARY

#### Synopsis of HJC Amendments

In two sections of HB89, the House Judiciary Committee strikes reference to “~~a male United States citizen or immigrant who is under the age of 26~~” to replaces it with more age-specific and residence-specific language: “Every male citizen of the State of New Mexico and every other male person residing in the State of New Mexico who, on the day or days fixed for the first or any subsequent Selective Service Act registration, is between the ages of eighteen and twenty-six.”

Age-reference on page 2, lines 21-23, “~~If under the age of 18....~~” is deleted.

A new section D is added to the legislation regarding how the Selective Service Act applies to immigrants:

“D. The provisions of this section shall not be applicable to any alien lawfully admitted to the United States as a nonimmigrant under section 101(a)(15) of the Immigration and Nationality Act, as amended (66 Stat. 163; 8 U.S.C. 1101), for so long as he continues to maintain a lawful nonimmigrant status in the United States.”

Synopsis of Original Bill

HB 89 adds a new section to the Motor Vehicle Code authorizing personal information from a driver's license application or identification card be forwarded to the Selective Service System.

The provisions of this bill apply only to United States citizens or immigrants who are male and under the age of twenty-six, pursuant to the requirements of the federal Military Selective Service Act, 50, U.S.C. App. 453 et seq.

The effective date of this legislation is July 1, 2003.

Significant Issues

1. The Motor Vehicle Division (MVD) signed an MOU with the Selective Service in 2000 for transmitting personal information to the Selective Service. Under the current MOU agreement, an individual obtaining a driver's license can choose on the application form whether or not he wants to register with the Selective Service, or he can simply ignore the question on the driver's license application.
2. HB89 will supercede the MOU. Upon issuance of a driver's license, the name and personal information of a male driver between 18 and 26 will be forwarded to the Selective Service. According to HB89, the applicant's submission of the driver's license application will serve as an indication that the applicant has already registered with the Selective Service as required by federal law, or that he is authorizing MVD to forward his information to the Selective Service.
3. The bill also requires MVD to forward the personal information to the Selective Service in an electronic format. MVD has confirmed that they are able to do this without any cost to the agency.

**ADMINISTRATIVE IMPLICATIONS**

If HB89 were enacted, it would create monitoring and reporting consequences for MVD that currently do not exist. Such reporting and monitoring requirements are currently the responsibility of the federal government.

**DUPLICATION**

SB 316 duplicates HB 89.

**QUESTIONS**

1. Since the federal government is responsible for ensuring that eligible males register for the Selective Service, why is HB89 requesting MVD assistance in this matter? Or, is the federal government now mandating such assistance in preparation of a possible future war?

CMH/njw:sb