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FISCAL IMPACT REPORT

SPONSOR: Silva DATE TYPED: 2/20/03 HB 689

SHORT TITLE: Postmarking of Mail To Be Considered Timely SB _____

ANALYST: Wilson

APPROPRIATION

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

SOURCES OF INFORMATION

Responses Received From
Attorney General's Office (AGO)
Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Bill 689 amends Section 7-38-83 NMSA, under the Tax Administration Act, to provide that acts required or permitted to be done by mail are timely if postmarked or canceled by the U.S. postal service or other legally authorized third-party carrier on the required date.

Significant Issues

The title of HB 689 refers to the requirement that mail be postmarked by the United States postal service, but this provision is already in the statute. HB 689 permits the mail to be "canceled".

Definitions should be added to HB 689 for "canceled", "postmarked" and "legally authorized third party carrier".

FISCAL IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution, and documentation of statutory changes.

POSSIBLE QUESTIONS

Why is the word “canceled” included in the bill? Isn’t every letter “postmarked?” When would it be “canceled” but not “postmarked?”

DW/yr