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FISCAL IMPACT REPORT

SPONSOR: Park DATE TYPED: 3/12/03 HB 984/aHVEC

SHORT TITLE: Absentee Voting Requirements SB _____

ANALYST: Chavez

APPROPRIATION

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

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Secretary of State (SOS)
LFC Files

SUMMARY

Synopsis of HVEC Amendment

The House Voters and Elections Amendment deletes the language requiring the county clerk to mail an application to all registered voters in the county. This would eliminate the additional printing cost for absentee applications of \$77.5 in addition to the further costs related to postage that would cost counties approximately \$330,000.

The Amendment changes the amount of alternate voting locations for class A counties with 200,000 registered voters or less from not less than five locations to not less than four alternate locations.

The Amendment deletes language pertaining to all other counties (not including class A counties with *more* than 250,000 registered voters and class A counties with 200,000 registered voters or *less*) which stated that the county clerk shall establish one alternate voting location for every 15,000 registered voters in the county. The Amendment replaces this language with language that provides that in non-class A counties with *more* than 10,000 registered voters, the county clerk will establish at least two alternate voting locations. Further, in non class A counties with 10,000 registered voters or *less*, early voting shall be conducted in the office of the county clerk or at such alternative locations as may be designated by the county clerk.

The Amendment also creates a new section of the Election Code which defines “early voter” as a voter who votes in person before election day, and not by mail.

Synopsis of Original Bill

House Bill 984 amends various sections of the Absent Voter Act.

- Section 1-6-4 NMSA 1978 by providing that the county clerk is required to mail an application to all registered voters in the county at least 35 days before the election and include a notice of when and where a voter may vote absentee early in person.
- Section 1-6-5 NMSA 1978 to reduce absentee voting in person from 40 days to 28 days preceding the election; increase the number of alternate voting locations to not less than 12 in Bernalillo County; further increase voting locations in counties dependent on the number of registered voters;
- Section 1-6-6 NMSA 1978 to provide that at the request of a candidate or chair of a political party of the county, and if the county clerk has available the technology to do so, the county clerk shall electronically transmit the information on the absentee roster to the candidate or chair.

House Bill 984 also adds new sections to the Absent Voter Act:

- Provides that for early voting, alternate voting locations are required to be attended by at least two poll workers of different political parties;
- Provides that a voter, caregiver to that voter or member of that voter’s immediate family may deliver that voter’s absentee ballot to the county clerk in person or by mail;
- Provides that rules should be adopted by the SOS to:
 1. ensure that voters have adequate access to alternate locations for early voting in each county, taking into consideration population density and travel time to the place of voting; and
 2. ensure that early voters are not allowed to vote in person on election day.

FISCAL IMPLICATIONS

The SOS indicates that additional printing costs for absentee applications required to be mailed to every voter in the state will cost an additional \$77,500. It is also indicated that further costs relating to postage will cost the counties approximately \$330,000.

ADMINISTRATIVE IMPLICATIONS

According to the SOS, the administrative implications would be minimal.

CONFLICT

House Bill 984 conflicts with SB 781 which restricts absentee voting and changes the hours for early voting.

TECHNICAL ISSUES

The SOS indicated that the term “early voting” is no longer used since the word was repealed by the legislature in 1998. The term “early voting” was replaced by absentee voting. The SOS indicates that this bill refers to “early” voting and voters; however, there is no definition of the term in Article 6.

OTHER SUBSTANTIVE ISSUES

It was indicated by the SOS that regarding the electronic transmission provision of the bill, at least one state is considering legislation to completely limit access to absentee rosters due to vote buying schemes that were revealed.

Further, it was indicated by the SOS that an increase in paper ballots increase delays in election night reporting.

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