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## FISCAL IMPACT REPORT

SPONSOR: Coll DATE TYPED: 02/16/03 HB HJR 11/aHGUAC

SHORT TITLE: Allow Runoff Elections, CA SB \_\_\_\_\_

ANALYST: Chavez

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
NFI	NFI		\$32.0	Non-Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Conflicts with HJR 1

### SOURCES OF INFORMATION

Secretary of State (SOS)  
 Attorney General's Office (AG)  
 LFC Files

### SUMMARY

#### Synopsis of HGUAC Amendment

The House Government and Urban Affairs Committee Amendment strikes "other than" and replaces it with "except" and strikes "and municipal" from the title. The amendment strikes "by a charter amendment adopted by" and replaces it with "as provided for by its charter". The amendment eliminates the need for a home-rule municipality subsequent to the adoption of the resolution to provide for runoff elections by a charter amendment adopted by majority vote in a municipal election.

#### Synopsis of Original Bill

House Joint Resolution 11 amends Article 5, Section 2 and Article 7, Section 5 of the New Mexico Constitution permitting state and municipal runoff elections. The Legislature can provide for runoff-elections except in municipal and primary elections. A municipality may provide for municipal runoff elections as follows: a) a non-home rule municipality may provide by ordinance for runoff-elections; b) a home-rule municipality whose charter prior to the adoption of the

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amendment provided for runoff-elections; and c) a home-rule municipality subsequent to the adoption of the amendment can provide for runoff elections by a charter amendment adopted by majority vote in a municipal election.

### **FISCAL IMPLICATIONS**

No appropriation is contained in this bill. However, a \$32.0 non-recurring impact to the general fund will likely occur in FY 05 (the next general election is in November 04) for advertising and printing costs incurred by the Secretary of State for this ballot measure. The impact to the general fund will occur in the preceding fiscal year if a special election is called prior to November 04.

### **ADMINISTRATIVE IMPLICATIONS**

According to the Secretary of State, the administrative implications would be minimal.

### **CONFLICT**

The bill conflicts with HJR 1. House Joint Resolution 1 proposes an amendment to Article VII, Section V of the Constitution of New Mexico to allow municipal runoff elections. The resolution provides for the following: a) a home rule municipality with over 20,000 residents could seek approval from its populace to amend their existing home rule charter to allow for runoff elections; (b) a municipality with over 20,000 residents that becomes a home rule municipality could include runoff elections in its initial charter; and (c) the legislature could pass a law to allow other municipalities the right to conduct runoff elections.

**FC/prr**