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FISCAL IMPACT REPORT

SPONSOR Marquardt DATE TYPED 1/31/05 HB 41

SHORT TITLE Require Voter Identification SB _____

ANALYST Medina

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

Relates to the Election Code
 Duplicates SB 40

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Secretary of State

SUMMARY

Synopsis of Bill

House Bill 41 amends the Election Code as it relates to persons registering to vote for the first time in New Mexico. The bill requires upon application for voter registration by a first time registrant the submission of a copy of a current and valid photo identification or a utility bill, bank statement, government check, paycheck or other government document that shows the name and address of an applicant for voter registration. House Bill 41 also allows that a form of identification issued by an Indian nation, tribe or pueblo to be included as an acceptable form of identification to be presented by a voter for the same purpose. The bill also requires that such identification be submitted by the first time voter when voting either in person or by absentee.

House Bill 41 further amends the Election Code to require of all voters voting on Election Day or by absentee ballot the presentation of a copy of a current utility bill, bank statement, government check, paycheck or other government document, including identification issued by an Indian nation, tribe or pueblo, that indicates and matches the name and address of the voter or ap-

plicant for absentee ballot as indicated on the signature roster or on the applicant's certificate of registration a current and valid photo identification. If a qualified voter does not provide the required form of identification the voter shall be allowed to vote on a provisional ballot.

The bill allows for the electronic submission of absentee ballots to applicants temporarily residing inside or outside the continental limits of the United States no later than on the Friday immediately prior to the date of the election. The bill requires Secretary of State to establish procedures for submittal of required identification with mailed-in absentee ballots.

Under provisions of this bill, voters voting pursuant to the Absent Voter Act shall include a copy of the required identification inside the official mailing envelope to be submitted for counting and tallying.

With respect to provisional voting, under provisions of this bill, a voter shall vote on a provisional paper ballot only if the voter does not present to the election judge a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck or other government document, including identification issued by an Indian nation, tribe or pueblo, that indicates and matches the name and address on the voter's certificate of registration.

Significant Issues

The provisions of this bill requiring that the addresses appearing on voters' valid forms of photo identification, certificates of registration, and the signature roster all match exactly could be a difficult requirement to meet for some voters. These voters include those who have recently relocated or are not heads-of-household (and would not have their name appear on a utility bill). The number of provisional ballots that would need to be cast and counted could potentially increase significantly.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Bill 40 is a duplicate of this bill.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

Not all absentee and Election Day voters would be required to show identification when voting.

DXM/lg