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FISCAL IMPACT REPORT

SPONSOR Beam DATE TYPED 2/8/05 HB 64/aHVEC

SHORT TITLE Felony Convict Voting Requirements SB _____

ANALYST Medina

SOURCES OF INFORMATION

LFC Files

No Response

Secretary of State (SOS)

SUMMARY

Synopsis of HVEC Amendment

The House Voters and Elections Committee amendment replaces “marital status” and “birth-place” with “state tracking number” and “case number” as items included in the required information on a certificate of felony conviction. The certificate of felony conviction is filed by clerk of the district court and is to be compared to a voter’s registration record for the purposes of cancellation of voter registration.

Synopsis of Bill

House Bill 64 amends Section 1-4-27.1 NMSA 1978 (being Laws 2001, Chapter 46, Section 1), the statute governing the cancellation following felony conviction, and the restoration of voter registration rights following completion of court-ordered terms of the felony conviction. The amendment replaces the county clerk of the county where the convicted felon was registered to vote with the Secretary of State as the agent to be notified by the district court clerk concerning changes to voter registration eligibility. Upon release or discharge of a voter convicted of a felony from a correctional facility, the Secretary of State is also to be the agent to be notified concerning changes to voter registration eligibility.

House Bill 64 calls for the Secretary of State, as the state’s chief elections officer, to be the central point of contact and notification for changes to a convicted felon’s voter registration eligibility and instructs the Secretary of State to then notify all county clerks when a convicted felon’s voting registration rights have been restored. A person’s certificate of completion of a sentence, terms of probation or parole issued by the Corrections Department shall state that the person’s voting rights are restored. Finally, House Bill 64 requires that the Corrections Department notify the Secretary of State when such a certificate has been issued to the person and that the person’s voter registration eligibility is restored.

Significant Issues

House Bill 64 strengthens the role of the Secretary of State as the clearinghouse for information concerning convicted felon's voting eligibility.

ADMINISTRATIVE IMPLICATIONS

The administrative implications for the Secretary of State's office would be minimal.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

Should House Bill 64 not be enacted, the county clerks would continue to serve as the primary point of contact for information concerning changes to a convicted felon's voter registration eligibility.

DXM/lg:njw