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## FISCAL IMPACT REPORT

SPONSOR García, M.H.      DATE TYPED 3/11/05      HB 539

SHORT TITLE Secretary of State Special Election Costs      SB \_\_\_\_\_

ANALYST Medina

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI		Up to \$1,700.0	Non-Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Elections  
Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files  
Secretary of State (SOS)

### SUMMARY

#### Synopsis of Bill

House Bill 539 requires the Secretary of State pay the costs of conducting statewide special elections and election called for the purpose of filling a vacancy in the office of U.S. Representative. The bill further requires that the Secretary of State reimburse the counties for expenses incurred in conducting those elections for an amount not to exceed the amount appropriated by the counties for such an election.

#### Significant Issues

The Secretary of State contends that the state general fund, presumably though special or supplemental appropriation, should pay the costs associated with any statewide special election and that any appropriation to the Secretary of State should cover all expenses for special elections, and notes that counties do not budget for special elections.

### FISCAL IMPLICATIONS

According to the Secretary of State, the cost of administering statewide special elections is high. The special election held for the amendment to the Constitution of New Mexico in September

2003 cost the state approximately \$1.7 million dollars.

**ADMINISTRATIVE IMPLICATIONS**

The Secretary of State's office contends that it is capable of administering any statewide special election with existing staff.

**TECHNICAL ISSUES**

Section 1-15-18.1 NMSA 1978 of the Election Code relates to special elections resulting from a U.S. Representative vacancy. The Secretary of State recommends this bill amend this section of the Election Code.

**ALTERNATIVES**

Election reform legislation may be analyzed during the interim allowing for more input from voters and others concerned with election reform.

**DXM/yr**