

HOUSE VOTERS AND ELECTIONS COMMITTEE SUBSTITUTE FOR
HOUSE BILL 908

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
REMOVING PROVISIONS REQUIRING ELECTRONIC FILING OF CAMPAIGN
REPORTS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 1-19-29 NMSA 1978 (being Laws 1993,
Chapter 46, Section 5, as amended) is amended to read:

"1-19-29. TIME AND PLACE OF FILING REPORTS.--

A. Annually, all reporting individuals shall file
with the proper filing officer by 5:00 p.m. on the second
Monday in May a report of all expenditures made and
contributions received on or before the first Monday in May and
not previously reported. The report shall be filed annually
until the reporting individual's bank account has been closed
and the other provisions specified in Subsection E of this

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underscored material = new
[bracketed material] = delete

1 section have been satisfied.

2 B. In an election year, in addition to the May
3 report provided for in Subsection A of this section, all
4 reporting individuals, except for persons who file a statement
5 of exception pursuant to Section 1-19-33 NMSA 1978 and except
6 for public officials who are not candidates in an election that
7 year, shall file reports of all expenditures made and
8 contributions received according to the following schedule:

9 (1) by 5:00 p.m. on the second Monday in
10 October, a report of all expenditures made and contributions
11 received on or before the first Monday in October and not
12 previously reported;

13 (2) by 5:00 p.m. on the Thursday before a
14 primary, general or statewide special election, a report of all
15 expenditures made and contributions received by 5:00 p.m. on
16 the Tuesday before the election. Any contribution or pledge to
17 contribute that is received after 5:00 p.m. on the Tuesday
18 before the election and that is for five hundred dollars (\$500)
19 or more in a legislative or non-statewide judicial election, or
20 two thousand five hundred dollars (\$2,500) or more in a
21 statewide election, shall be reported to the proper filing
22 officer either in a supplemental report on a prescribed form
23 within twenty-four hours of receipt or in the report to be
24 filed by 5:00 p.m. on the Thursday before a primary, general or
25 statewide special election, except that any such contribution

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1 or pledge to contribute that is received after 5:00 p.m. on the
2 Friday before the election may be reported by 12:00 noon on the
3 Monday before the election; and

4 (3) by 5:00 p.m. on the thirtieth day after a
5 primary, general or statewide special election, a report of all
6 expenditures made and contributions received on or before the
7 twenty-fifth day after the election and not previously
8 reported.

9 C. Notwithstanding the other provisions of this
10 section, the report due on the thirtieth day after an election
11 need be the only report filed after the annual May report if
12 the candidate is not opposed in the election and if the report
13 includes all expenditures made and contributions received for
14 that election and not previously reported.

15 D. A report of expenditures and contributions filed
16 after a deadline set forth in this section shall not be deemed
17 to have been timely filed.

18 E. Each reporting individual shall file a report of
19 expenditures and contributions annually pursuant to the filing
20 schedule set forth in this section, regardless of whether any
21 expenditures were made or contributions were received during
22 the reporting period. Reports shall be required until the
23 reporting individual delivers a report to the proper filing
24 officer stating that:

25 (1) there are no outstanding campaign debts;

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1 (2) all money has been expended in accordance
2 with the provisions of Section 1-19-29.1 NMSA 1978; and

3 (3) the bank account has been closed.

4 F. Each treasurer of a political committee shall
5 file a report of expenditures and contributions annually
6 pursuant to the filing schedule set forth in this section until
7 the treasurer files a report that affirms that the committee
8 has dissolved or no longer exists and that its bank account has
9 been closed.

10 G. A reporting individual who is a candidate within
11 the meaning of the Campaign Reporting Act because of the amount
12 of contributions [~~he~~] the candidate receives or expenditures
13 [~~he~~] the candidate makes and who does not ultimately file a
14 declaration of candidacy or a nominating petition with the
15 proper filing officer shall nevertheless file a report, not
16 later than the second Monday in May for a primary election or
17 the second Monday in October for a general election, of all
18 contributions received and expenditures made on or before the
19 first Monday in May for a primary election or the first Monday
20 in October for a general election and not previously reported.

21 H. Reports required by this section [~~shall~~] may be
22 filed electronically by all reporting individuals.

23 [~~I. Reporting individuals may apply to the~~
24 ~~secretary of state for exemption from electronic filing in case~~
25 ~~of hardship, which shall be defined by the secretary of state.~~]

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