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FISCAL IMPACT REPORT

ORIGINAL DATE 2/3/06

SPONSOR Martínez LAST UPDATED _____ HB 379

SHORT TITLE Limit Cash Campaign Contributions SB _____

ANALYST Medina

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to the Campaign Reporting Act

SOURCES OF INFORMATION

LFC Files

Responses Received From
Attorney General (AG)

SUMMARY

Synopsis of Bill

House Bill 379 amends the Campaign Reporting Act with language prohibiting persons from making cash contributions and candidates and candidate's campaign committees from receiving contributions of more than one hundred dollars (\$100) to a candidate or the candidate's campaign committee in an election cycle.

SIGNIFICANT ISSUES

The Attorney General's Office contends that it may be difficult to track and investigate this proposal. According to the AGO, Section 1-19-34C NMSA 1978 permits candidates to accept cash contributions that are unidentifiable so long as the event raises (after expenses) no more than \$1,000. In New Mexico, lower ballot candidates often hold multiple raffles and contests to raise funds (i.e. tickets paid in cash).

ADMINISTRATIVE IMPLICATIONS

The Attorney General’s Office investigates referrals from the Secretary of State’s office on Campaign Reporting Act matters. It may take extra resources to investigate an alleged cash transaction.

CONFLICT

This bill conflicts with Senate Bill 367 amends Section 1-19-34D NMSA 1978: “A cash contribution from a single source given in a twenty-four-hour period in excess of one hundred dollars (\$100) may not be accepted.”

OTHER SUBSTANTIVE ISSUES

The Attorney General’s Office states: “The Legislature must make a policy decision in enacting Campaign Report Act matters, either focus on: (a) disclosure or (b) limitation. This bill is a limitation. The downside with every limitation proposal is that it may result in pushing the conduct under the table.”

DXM/nt