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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/28/07  
 LAST UPDATED 3/01/07      HB \_\_\_\_\_

SPONSOR McSorley

SHORT TITLE Same-Day Voter Registration      SB 860

ANALYST Ortiz

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates HB 860, HB 394, HB 346

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Attorney General's Office (AGO)

Association of County Clerks

Secretary of State (SOS)

### SUMMARY

#### Synopsis of Bill

Senate Bill 860 would amend the Election Code (NMSA Chapter 1) to allow persons to register to vote and then vote on election day. The bill would require precinct board members to provide and accept registration certificates on election day. It would also require the county clerk to accept and file such certificates of registration on election day. This type of voter would have to show a physical form of ID.

### FISCAL IMPLICATIONS

There would be increased costs to county clerks for hiring and training election workers on same day registration. Additionally, costs for information technology supplies would be incurred.

## **SIGNIFICANT ISSUES**

According to a member of Association of County Clerk's affiliate, in order to offer same day voter registration it would be necessary to conduct felony background checks of those wishing to register on election day. As a result a secure on-line computer is needed at each polling place or the ability to call a central location where background checks could be done. If large numbers of people try to register on election day, it will likely result in long lines and long waits for voters.

According to the AGO, this bill would provide for "same-day voter registration" which would allow citizens to register to vote and vote on election day. Currently eight states allow registration and voting on election day. Proponents argue that this process increases voter turnout, opponents argue that the process encourages election fraud, increases expense, and increases the administrative burden on poll workers. See Connecticut General Assembly Election Day Registration Report, 2004-R-0970 <http://www.cga.ct.gov/2004/rpt/2004-R-0970.htm>

Existing law allow a person who is registered by a 3<sup>rd</sup> party agent to get a duplicate copy of registration and present it as proof of registration. Section 6 may have deleted this process.

## **PERFORMANCE IMPLICATIONS**

According to the Secretary of State, polling officials may not be able to handle large number of new voter registrants on Election Day. Some counties with remote precincts may not have internet access at polling location to input data. Voter registration will need to be delivered and processed at the county clerk office. This will create additional provisional ballots and add to the already tedious process of verifying qualified provisional ballots. This may open up New Mexico to manipulation from major parties wanting to sabotage our election process and prevent counties from reporting in a timely manner.

## **ADMINISTRATIVE IMPLICATIONS**

It is often difficult for counties to obtain enough manpower to work at the polling places and it may be challenging to add another responsibility for the workers who are generally not employees of the county.

## **OTHER SUBSTANTIVE ISSUES**

The County Clerk Association's member suggests concern of felons trying to register and the potential of people fraudulently going from county to county registering and being able to vote multiple times. Same day voter registration must be thought through and checks and balances must be effective and trusted.

## **ALTERNATIVES**

Rather than offering same day registration at each polling location, consider limiting same day registration to certain sites. This would somewhat reduce human and financial costs to the counties.

The County Clerk Association's member offers that if increasing voter registration and turnout is the bill's intent, consideration might be given to addressing the language barriers as they relate to

registration and turnout.

**POSSIBLE QUESTIONS**

Currently, registering to vote requires felony background check to be conducted, how would this be accomplished under this legislation?

What is the intended purpose of same day registration? If it is to increase voter turnout, what statistical data can be cited to support this?

What mechanism would prevent someone from going from one county to the next register on the same day and voting?

EO/csd