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SENATE BILL 30

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2008

INTRODUCED BY

James G. Taylor

AN ACT

RELATING TO ELECTIONS; PROHIBITING PAYMENT OF REGISTRATION AGENTS ON A PER REGISTRATION BASIS; REQUIRING CERTAIN THIRD PARTY REGISTRATION AGENTS TO DISCLOSE THE NAMES OF CONTRIBUTORS OF MORE THAN FIVE THOUSAND DOLLARS (\$5,000); REQUIRING BACKGROUND CHECKS OF CERTAIN REGISTRATION AGENTS; PROVIDING FOR PENALTIES.

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

Section 1. A new section of the Election Code is enacted to read:

"[NEW MATERIAL] REGISTRATION AGENTS--COMPENSATION.--

A. A person or organization shall not pay or offer to pay an individual compensation based on the number of registration forms completed or the party affiliations shown on completed registration forms.

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[bracketed material] = delete

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1 B. An individual shall not receive compensation
2 based on the number of registration forms completed or the
3 party affiliations shown on completed registration forms."

4 Section 2. A new section of the Election Code is enacted
5 to read:

6 "[NEW MATERIAL] THIRD PARTY REGISTRATION ORGANIZATIONS--
7 BACKGROUND CHECKS OF REGISTRATION AGENTS.--An organization
8 required to register with the secretary of state pursuant to
9 Section 1-4-49 NMSA 1978 shall conduct a background check of
10 each person the organization compensates as a registration
11 agent and shall not compensate a person to act as a
12 registration agent if that person has been convicted of a
13 felony."

14 Section 3. A new section of the Election Code is enacted
15 to read:

16 "[NEW MATERIAL] THIRD PARTY REGISTRATION AGENTS--
17 DISCLOSURE OF CERTAIN CONTRIBUTORS--PENALTY.--

18 A. A nonprofit organization organized pursuant to
19 state or federal law and that expends more than ten thousand
20 dollars (\$10,000) in a calendar year either to register or
21 assist persons to register to vote shall:

22 (1) report to the secretary of state the name
23 of each organization that is required to file a schedule of
24 contributors with the United States internal revenue service if
25 that organization has donated more than five thousand dollars

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1 (\$5,000) to the nonprofit organization in the previous twelve
2 months; and

3 (2) attach a copy of the forms or otherwise
4 include in the report to the secretary of state a copy of the
5 information that the donor organization is required to file
6 with the United States internal revenue service for the most
7 recent tax year.

8 B. Reports required by Subsection A of this section
9 shall be filed no later than thirty days after the cumulative
10 expenditure for registering or assisting persons to register to
11 vote reaches ten thousand dollars (\$10,000) in a given calendar
12 year.

13 C. A nonprofit organization that fails to file the
14 reports required by Subsection A of this section shall be
15 liable for and shall pay to the secretary of state a civil
16 penalty of fifty dollars (\$50.00) per day for each regular
17 working day after the time required for the filing of reports
18 until the report is filed, up to a maximum of five thousand
19 dollars (\$5,000)."