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HOUSE BILL 252

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Al Park

AN ACT

RELATING TO ELECTIONS; LIMITING CONTRIBUTIONS BY PERSONS AND
POLITICAL COMMITTEES TO CANDIDATES AND POLITICAL COMMITTEES IN
ELECTIONS COVERED BY THE CAMPAIGN REPORTING ACT.

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

Section 1. A new section of the Campaign Reporting Act is
enacted to read:

"[NEW MATERIAL] CONTRIBUTIONS LIMITATIONS--CANDIDATES--
POLITICAL COMMITTEES.--

A. The following contributions shall not knowingly
be made by the following persons, directly or indirectly,
including a contribution earmarked or otherwise directed or
coordinated through a third party:

(1) from a person, not including a political
committee, to a candidate for office, including the candidate's

1 campaign committee, in an amount that will cause that person's
2 aggregate amount of contributions to the candidate to exceed
3 two thousand three hundred dollars (\$2,300) during the primary
4 election cycle or two thousand three hundred dollars (\$2,300)
5 during the general election cycle; and

6 (2) from a political committee to a candidate
7 for office, including the candidate's campaign committee, in an
8 amount that will cause that political committee's aggregate
9 amount of contributions to the candidate to exceed five
10 thousand dollars (\$5,000) during the primary election cycle or
11 five thousand dollars (\$5,000) during the general election
12 cycle.

13 B. The following contributions shall not knowingly
14 be made by the following persons, directly or indirectly,
15 including contributions earmarked or otherwise directed by or
16 coordinated through a third party:

17 (1) from a person, not including a political
18 committee, to a political committee in an amount that will
19 cause that person's aggregate amount of contributions to the
20 political committee to exceed two thousand three hundred
21 dollars (\$2,300) in a calendar year; or

22 (2) from a political committee to another
23 political committee in an amount that will cause that political
24 committee's aggregate amount of contributions to the other
25 political committee to exceed five thousand dollars (\$5,000) in

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1 a calendar year.

2 C. All contributions made by a person, either
3 directly or indirectly, including contributions that are in any
4 way earmarked or otherwise directed through an intermediary or
5 conduit to a candidate, shall be treated as contributions from
6 the person to that candidate.

7 D. A person shall not knowingly accept or solicit a
8 contribution, directly or indirectly, including a contribution
9 earmarked or otherwise directed or coordinated through a third
10 party, that violates the contribution limits provided for in
11 this section.

12 E. On January 1 after each general election, the
13 contribution amounts provided in Subsections A and B of this
14 section shall be increased by the percentage increase during
15 the preceding two calendar years of the consumer price index
16 for all urban consumers, United States city average for all
17 items, published by the United States department of labor. The
18 amount of the increase shall be rounded to the nearest multiple
19 of one hundred dollars (\$100). The secretary of state shall
20 publish by October 1 before each general election the adjusted
21 contribution limits that shall take effect the day after the
22 following general election.

23 F. The limitation on contributions to a candidate
24 provided for in Subsection A of this section shall not apply to
25 a candidate's own contribution from the candidate's personal

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1 funds to the candidate's own campaign.

2 G. The limitations on contributions provided for in
3 Subsection A of this section shall not apply to candidates for
4 statewide office until January 1, 2011.

5 H. For the purposes of this section:

6 (1) "primary election cycle" means the period
7 beginning on the day after the general election for the
8 applicable office and ending on the day of the primary for that
9 office; and

10 (2) "general election cycle" means the period
11 beginning on the day after the primary for the applicable
12 office and ending on the day of the general election for that
13 office."

14 Section 2. Section 1-19-34.3 NMSA 1978 (being Laws 1993,
15 Chapter 46, Section 14, as amended) is amended to read:

16 "1-19-34.3. CONTRIBUTIONS IN ONE NAME GIVEN FOR ANOTHER
17 PROHIBITED.--It is unlawful for a person [~~or political~~
18 ~~committee to make, or a candidate or his agent to accept, a~~
19 ~~contribution that is reported as coming from one person or~~
20 ~~entity when the candidate or his agent knows that the~~
21 ~~contribution is actually from another person or entity that~~
22 ~~directed that the contribution not be publicly reported] to
23 make a contribution in the name of another person, and no
24 person shall knowingly accept a contribution made by one person
25 in the name of another person."~~

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1 Section 3. EFFECTIVE DATE.--The effective date of the
2 provisions of this act is July 1, 2009.

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