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SENATE BILL 262

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

INTRODUCED BY

Sue Wilson Beffort

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, including a political  
committee, to a:

underscoring material = new  
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1 (a) candidate for nonstatewide office,  
2 including the candidate's campaign committee, in an amount that  
3 will cause that person's aggregate amount of contributions to  
4 the candidate to exceed one thousand dollars (\$1,000) during  
5 the primary election cycle or one thousand dollars (\$1,000)  
6 during the general election cycle; or

7 (b) candidate for statewide office,  
8 including the candidate's campaign committee, on or after  
9 January 1, 2011, in an amount that will cause that person's  
10 aggregate amount of contributions to the candidate to exceed  
11 two thousand three hundred dollars (\$2,300) during the primary  
12 election cycle or two thousand three hundred dollars (\$2,300)  
13 during the general election cycle; and

14 (2) from a person, including a political  
15 committee, to a political committee in an amount that will  
16 cause that person's aggregate amount of contributions to the  
17 political committee to exceed five thousand dollars (\$5,000) in  
18 a calendar year.

19 B. All contributions made by a person, either  
20 directly or indirectly, including contributions that are in any  
21 way earmarked or otherwise directed through an intermediary or  
22 conduit to a candidate, shall be treated as contributions from  
23 the person to that candidate.

24 C. A person shall not knowingly accept or solicit a  
25 contribution, directly or indirectly, including a contribution

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1 earmarked or otherwise directed or coordinated through a third  
2 party, that violates the contribution limits provided for in  
3 this section.

4 D. On January 1 after each general election, the  
5 contribution amounts provided in Subsection A of this section  
6 shall be increased by the percentage increase during the  
7 preceding two calendar years of the consumer price index for  
8 all urban consumers, United States city average for all items,  
9 published by the United States department of labor. The amount  
10 of the increase shall be rounded to the nearest multiple of one  
11 hundred dollars (\$100). The secretary of state shall publish  
12 by October 1 before each general election the adjusted  
13 contribution limits that shall take effect the day after the  
14 following general election.

15 E. The limitation on contributions to a candidate  
16 provided for in Subsection A of this section shall not apply to  
17 a candidate's own contribution from the candidate's personal  
18 funds to the candidate's own campaign.

19 F. For the purposes of this section:

20 (1) "primary election cycle" means the period  
21 beginning on the day after the general election for the  
22 applicable office and ending on the day of the primary for that  
23 office; and

24 (2) "general election cycle" means the period  
25 beginning on the day after the primary for the applicable

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1 office and ending on the day of the general election for that  
2 office."

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

5 "1-19-34.3. CONTRIBUTIONS IN ONE NAME GIVEN FOR ANOTHER  
6 PROHIBITED.--It is unlawful for a person [~~or political~~  
7 ~~committee to make, or a candidate or his agent to accept, a~~  
8 ~~contribution that is reported as coming from one person or~~  
9 ~~entity when the candidate or his agent knows that the~~  
10 ~~contribution is actually from another person or entity that~~  
11 ~~directed that the contribution not be publicly reported] to  
12 make a contribution in the name of another person, and no  
13 person shall knowingly accept a contribution made by one person  
14 in the name of another person."~~

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