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SENATE BILL 334

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

INTRODUCED BY

Mark Boitano

AN ACT

RELATING TO ELECTIONS; RESTRICTING THE USE OF PUBLIC FUNDS FOR  
CERTAIN ELECTION CAMPAIGNS.

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]~~ BALLOT MEASURES--USE OF PUBLIC FUNDS.--"

A. Neither a state agency nor a political  
subdivision of the state shall use public funds to advertise in  
favor of or in opposition to a ballot measure.

B. As used in this section:

(1) "ballot measure" means a contested  
election other than the election of an individual for federal,  
state, regional or local political office, and "ballot measure"  
includes constitutional amendments and referenda;

underscoring material = new  
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(2) "public funds" means all money generated from public sources, including taxes and fees of any kind; and

(3) "state agency" means any department, commission, council, board, committee, institution, legislative body, agency, government corporation, educational institution or official of the executive, legislative or judicial branch of the government of this state."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2010.