

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 1/27/09

SPONSOR O'Neill LAST UPDATED _____ HB 101

SHORT TITLE Substitute Addresses For Judges SB _____

ANALYST Wilson

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)
 Bernalillo County Metro Court (BCMC)
 Secretary of State (SOS)

SUMMARY

Synopsis of Bill

House Bill 101 creates a new section of Chapter 34 NMSA 1978 allowing a justice, judge or magistrate to substitute either a personal post office box or the address of the court where the justice, judge or magistrate presides in lieu of a physical residence address on any license, permit or identification card issued by any state agency or local public body.

The Bill further amends NMSA 1978, § 1-4-5.1 allowing a justice, judge or magistrate to substitute a personal post office box or the address of the court where the justice, judge or magistrate presides on a voter registration certificate while still being assigned to a precinct based on the justice's, judge's or magistrate's actual physical residence address.

FISCAL IMPLICATIONS

There are no fiscal implications.

SIGNIFICANT ISSUES

Increasingly, judges are the targets of threats and violence by the litigants whose cases are brought before the court and others. Examples of such threatening activities include suspicious mailings, harassing phone calls, stalking, verbal abuse, and have even escalated to murder on more than one occasion. In response to the increase in threatening activity, Congress enacted the Court Security Improvement Act of 2007. This bill is modeled on this Act allowing federal justices and judges to substitute the address of the courthouse in lieu of the individual's address of principle residence.

SOS notes that a justice, judge or magistrate will have to provide identification to confirm the address is assigned to a precinct based on the elector's actual physical residence address.

ADMINISTRATIVE IMPLICATIONS

The administrative implications are minimal, requiring county clerks to make allowance in record keeping systems for special registration of judges.

DW/mt