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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/05/10

SPONSOR Cote LAST UPDATED \_\_\_\_\_ HB 258

SHORT TITLE Confidential Address Program Act SB \_\_\_\_\_

ANALYST Ortiz

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	\$91.7	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the Courts (AOC)  
Secretary of State (SOS)

### SUMMARY

#### Synopsis of Bill

House Bill 258 appropriates \$91.7 thousand from the General Fund to the Secretary of State for the purpose of implementing the Confidential Address Program Act.

House Bill 258 substantially expands the program by creating the Confidential Address Program Act. Under the Act, the secretary of state must process applications, issue certificates, maintain the record of participants including renewals, cancellations, withdrawals, and forward mail to participants. The bill clarifies that addresses registered under the Act are strictly confidential except by order of a court. Public entities that demonstrate the need for a real address may apply for an exemption from the requirement that they use only the secretary of state's address to communicate with the participant. HB258 also specifies that applicants who knowingly provide false information are subject to felony prosecution.

### FISCAL IMPLICATIONS

The appropriation of \$91.7 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2011 shall revert to the General Fund.

**SIGNIFICANT ISSUES**

Currently, the cost of the confidential address program is absorbed in the Secretary of State's operating budget. The agency indicated that budget cuts from the 2009 Special Legislative Session and potential cuts create a situation where services may be curtailed, or possibly terminated unless the program is fully funded by the New Mexico State Legislature.

**OTHER SUBSTANTIVE ISSUES**

The agency reports 200 participants are enrolled in the program.

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