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FISCAL IMPACT REPORT

ORIGINAL DATE 01/25/10

SPONSOR Morales LAST UPDATED _____ HB _____

SHORT TITLE Modernize Election Language, CA SJR 6

ANALYST Haug

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	\$0.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY10	FY11	FY12	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total	\$104.0*	NFI	NFI	104.0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

* See Fiscal Implications below

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General (AGO)

Secretary of State (SOS)

SUMMARY

Synopsis of Bill

Senate Joint Resolution 6 proposes to amend Article 7, Section 1 of the New Mexico Constitution. The substantive change in the proposed amendment removes the specific voting requirements contained in Article 7, Section 1 and instead adopts federal requirements to vote, subject to residency and registration requirements provided by state law.

FISCAL IMPLICATIONS

The SOS states:

The Secretary of State, as the Chief Elections Officer is mandated to publish all constitutional amendments in both English and Spanish in a newspaper in every county statewide. The cost for the 2008 General Election was \$520,000 for five constitutional

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amendments. The cost breakdown is estimated at \$104,000 per constitutional amendment.

SIGNIFICANT ISSUES

The AGO reports that the proposed amendment removes the specific state residency requirements for voting from our state constitution but provides that state law may provide for residency requirements. After review of our current election code, NMSA 1978, § 1-1-7 does not appear to clearly provide for residency requirements. Thus, if the resolution is passed and the amendment is approved at the next general election, further amendment of our state laws to make clear residency requirements is likely needed.

GH/mt