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HOUSE BILL 605

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO ELECTIONS; PROVIDING FOR THE CREATION OF POLITICAL PARTY CAUCUS COMMITTEES; CREATING AN EXCEPTION TO CAMPAIGN CONTRIBUTION LIMITS.

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] HOUSE AND SENATE POLITICAL PARTY CAUCUS COMMITTEES--EXCEPTION TO CONTRIBUTION LIMITS.--

A. A political party caucus of the state house of representatives may maintain one house political party caucus committee. A political party caucus of the state house of representatives shall not maintain more than one house political party caucus committee. A house political party caucus committee shall not be considered to be a person or a

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1 political committee for the purposes of Section 1-19-34.7 NMSA  
2 1978 and, therefore, is exempt from the contribution limits  
3 imposed by that section. For all other purposes of the  
4 Campaign Reporting Act, a house political party caucus  
5 committee shall be considered to be a political committee.

6 B. A political party caucus of the state senate may  
7 maintain one senate political party caucus committee. A  
8 political party caucus of the state senate shall not maintain  
9 more than one senate political party caucus committee. A  
10 senate political party caucus committee shall not be considered  
11 to be a person or a political committee for the purposes of  
12 Section 1-19-34.7 NMSA 1978 and, therefore, is exempt from the  
13 contribution limits imposed by that section. For all other  
14 purposes of the Campaign Reporting Act, a senate political  
15 party caucus committee shall be considered to be a political  
16 committee."

17 SECTION 2. Section 1-19-34.7 NMSA 1978 (being Laws 2009,  
18 Chapter 68, Section 1) is amended to read:

19 "1-19-34.7. CONTRIBUTION LIMITATIONS--CANDIDATES--  
20 POLITICAL COMMITTEES.--

21 A. The following contributions by the following  
22 persons are prohibited:

23 (1) from a person, not including a political  
24 committee, to a:

25 (a) candidate for nonstatewide office,

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1 including the candidate's campaign committee, in an amount that  
2 will cause that person's total contributions to the candidate  
3 to exceed two thousand three hundred dollars (\$2,300) during  
4 the primary election or two thousand three hundred dollars  
5 (\$2,300) during the general election;

6 (b) candidate for statewide office,  
7 including the candidate's campaign committee, in an amount that  
8 will cause that person's total contributions to the candidate  
9 to exceed five thousand dollars (\$5,000) during the primary  
10 election or five thousand dollars (\$5,000) during the general  
11 election; or

12 (c) political committee in an amount  
13 that will cause that person's total contributions to the  
14 political committee to exceed five thousand dollars (\$5,000)  
15 during a primary election or five thousand dollars (\$5,000)  
16 during a general election; and

17 (2) from a political committee to:

18 (a) a candidate for office, including  
19 the candidate's campaign committee, in an amount that will  
20 cause the political committee's total contributions to the  
21 candidate to exceed five thousand dollars (\$5,000) during the  
22 primary election or five thousand dollars (\$5,000) during the  
23 general election; or

24 (b) another political committee in an  
25 amount that will cause that political committee's total

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1 contributions to the political committee to exceed five  
2 thousand dollars (\$5,000) during a primary election or five  
3 thousand dollars (\$5,000) during a general election.

4 B. All contributions made by a person to a  
5 candidate, either directly or indirectly, including  
6 contributions that are in any way earmarked or otherwise  
7 directed through another person to a candidate, shall be  
8 treated as contributions from the person to that candidate.

9 C. A person, including a political committee, shall  
10 not knowingly accept or solicit a contribution, directly or  
11 indirectly, including a contribution earmarked or otherwise  
12 directed or coordinated through another person, including a  
13 political committee, that violates the contribution limits  
14 provided for in this section.

15 D. On the day after each general election, the  
16 contribution amounts provided in Subsection A of this section  
17 shall be increased by the percentage of the preceding two  
18 calendar year's increase of the consumer price index for all  
19 urban consumers, United States city average for all items,  
20 published by the United States department of labor. The amount  
21 of the increase shall be rounded to the nearest multiple of one  
22 hundred dollars (\$100). The secretary of state shall publish  
23 by October 1 before each general election the adjusted  
24 contribution limits that shall take effect the day after the  
25 following general election.

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1           E. All contributions in excess of the limits  
2 imposed by the provisions of this section shall be deposited in  
3 the public election fund upon a finding by the secretary of  
4 state that the contribution limits have been exceeded.

5           F. The limitation on contributions to a candidate  
6 provided for in Subsection A of this section shall not apply to  
7 a candidate's own contribution from the candidate's personal  
8 funds to the candidate's own campaign.

9           G. For the purposes of this section:

10                   (1) "primary election" means the period  
11 beginning on the day after the general election for the  
12 applicable office and ending on the day of the primary for that  
13 office; ~~and~~

14                   (2) "general election" means the period  
15 beginning on the day after the primary for the applicable  
16 office and ending on the day of the general election for that  
17 office; and

18                   (3) "person" or "political committee" does not  
19 include political party caucus committees."