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SENATE BILL 182

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

INTRODUCED BY

Eric G. Griego

AN ACT

RELATING TO ELECTIONS; LIMITING THE AMOUNT OF CONTRIBUTIONS
ALLOWED IN CERTAIN ELECTION CAMPAIGNS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

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

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

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

(a) candidate for non-statewide office,
including the candidate's campaign committee, in an amount that
will cause that person's total contributions to the candidate

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1 to exceed [~~two thousand three hundred dollars (\$2,300)~~] two
2 hundred fifty dollars (\$250) during the primary election or
3 [~~two thousand three hundred dollars (\$2,300)~~] two hundred fifty
4 (\$250) during the general election;

5 (b) candidate for statewide office,
6 including the candidate's campaign committee, in an amount that
7 will cause that person's total contributions to the candidate
8 to exceed [~~five thousand dollars (\$5,000)~~] five hundred dollars
9 (\$500) during the primary election or [~~five thousand dollars~~
10 ~~(\$5,000)~~] five hundred dollars (\$500) 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 five hundred dollars (\$500) during a primary election or [~~five~~
16 ~~thousand dollars (\$5,000)~~] five hundred dollars (\$500) during a
17 general election; and

18 (2) from a political committee to:

19 (a) a candidate for office, including
20 the candidate's campaign committee, in an amount that will
21 cause the political committee's total contributions to the
22 candidate to exceed [~~five thousand dollars (\$5,000)~~] five
23 hundred dollars (\$500) during the primary election or [~~five~~
24 ~~thousand dollars (\$5,000)~~] five hundred dollars (\$500) during
25 the general election; or

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1 (b) another political committee in an
2 amount that will cause that political committee's total
3 contributions to the political committee to exceed [~~five~~
4 ~~thousand dollars (\$5,000)~~] five hundred dollars (\$500) during a
5 primary election or [~~five thousand dollars (\$5,000)~~] five
6 hundred dollars (\$500) during a general election.

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

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

18 D. On the day after each general election, the
19 contribution amounts provided in Subsection A of this section
20 shall be increased by the percentage of the preceding two
21 calendar year's increase of the consumer price index for all
22 urban consumers, United States city average for all items,
23 published by the United States department of labor. The amount
24 of the increase shall be rounded to the nearest multiple of one
25 hundred dollars (\$100). The secretary of state shall publish 4

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1 by October 1 before each general election the adjusted
2 contribution limits that shall take effect the day after the
3 following general election.

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

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

12 G. For the purposes of this section:

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

17 (2) "general election" means the period
18 beginning on the day after the primary for the applicable
19 office and ending on the day of the general election for that
20 office."

21 SECTION 2. EFFECTIVE DATE.--The effective date of the
22 provisions of this act is July 1, 2011.