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HOUSE BILL 93

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Nathan "Nate" Cote

AN ACT

RELATING TO CAMPAIGN FINANCE; AUTHORIZING THE EXPENDITURE OF  
CAMPAIGN FUNDS BY ADDITIONAL MEANS THAT AUTOMATICALLY RECORD  
TRANSACTIONS.

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

**SECTION 1.** Section 1-19-34 NMSA 1978 (being Laws 1979,  
Chapter 360, Section 10, as amended) is amended to read:

"1-19-34. CANDIDATES--POLITICAL COMMITTEES--TREASURER--  
BANK ACCOUNT--ANONYMOUS CONTRIBUTIONS--CONTRIBUTIONS FROM  
SPECIAL EVENTS.--

A. It is unlawful for the members of any political  
committee or any candidate to make any expenditure or solicit  
or accept any contribution for a political purpose unless:

(1) a treasurer has been appointed and is  
constantly maintained; provided, however, when a duly appointed

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1 treasurer is unable for any reason to continue as treasurer,  
2 the candidate or political committee shall appoint a successor;  
3 and provided further that a candidate may serve as [~~his~~] the  
4 candidate's own treasurer;

5 (2) all disbursements of money and receipts of  
6 contributions are authorized by and through the candidate or  
7 treasurer;

8 (3) a separate bank account has been  
9 established and all receipts of money contributions and all  
10 expenditures of money are deposited in and disbursed from the  
11 one bank account maintained by the treasurer in the name of the  
12 candidate or political committee; provided that nothing in this  
13 section shall prohibit investments from the bank account to  
14 earn interest as long as the investments and earnings are fully  
15 reported. All disbursements except for disbursements made from  
16 a petty cash fund of one hundred dollars (\$100) or less shall  
17 be [~~by check made payable to the person or entity receiving the~~  
18 ~~disbursement and not to "cash" or "bearer"~~] made in a form such  
19 that the date, amount and payee of the transaction are  
20 automatically recorded; and

21 (4) the treasurer upon disbursing or receiving  
22 money or other things of value immediately enters and  
23 thereafter keeps a proper record preserved by [~~him~~] the  
24 treasurer, including a full, true and itemized statement and  
25 account of each sum disbursed or received, the date of such

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1 disbursal or receipt, to whom disbursed or from whom received  
2 and the object or purpose for which it was disbursed or  
3 received.

4 B. No anonymous contributions may be accepted in  
5 excess of one hundred dollars (\$100). The aggregate amount of  
6 anonymous contributions received by a reporting individual  
7 during a primary or general election or a statewide special  
8 election shall not exceed two thousand dollars (\$2,000) for  
9 statewide races and five hundred dollars (\$500) for all other  
10 races.

11 C. Cash contributions received at special events  
12 that are unidentifiable as to specific contributor but  
13 identifiable as to the special event are not subject to the  
14 anonymous contribution limits provided for in this section so  
15 long as no single special event raises, after expenses, more  
16 than one thousand dollars (\$1,000) in such cash contributions.  
17 For those contributions, due diligence and best efforts shall  
18 be made to disclose on a special prescribed form the sponsor,  
19 date, place, total amount received, expenses incurred,  
20 estimated number of persons in attendance and other  
21 identifiable factors that describe the special event. For  
22 purposes of this subsection, "special event" includes an event  
23 such as a barbecue or similar fundraiser where tickets costing  
24 fifteen dollars (\$15.00) or less are sold or an event such as a  
25 coffee, tea or similar reception.

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D. Any contributions received pursuant to this section in excess of the limits established in Subsections B and C of this section shall be donated to the state general fund or an organization to which a federal income tax deduction would be available under Subparagraph (A) of Paragraph (1) of Subsection (b) of Section 170 of the Internal Revenue Code of 1986, as amended."