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FISCAL IMPACT REPORT

SPONSOR SRC ORIGINAL DATE 03/09/21
LAST UPDATED _____ HB _____
SHORT TITLE 16- & 17-Year-Olds As Qualified Electors SB 412/SRCS
ANALYST Nichols

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		\$12.4		\$12.4	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files
National Conference of State Legislatures (NCSL)
United States Census Bureau

Responses Received From
Secretary of State (SOS)

SUMMARY

Synopsis of Bill

The Senate Rules Committee substitute for Senate Bill 412 amends the Election Code to permit a person to be considered a voter and able to vote in statewide elections once the registered voter turns 17 years of age.

The effective date of this bill is January 1, 2022.

FISCAL IMPLICATIONS

In analysis for the original bill, the Taxation and Revenue Department indicated that the bill would require changes to voter registration processes in its Tapestry and eServices systems, with an estimated cost of approximately \$12.4 thousand to develop, test, and implement changes.

SIGNIFICANT ISSUES

SB412/SRCS would allow 17-year olds to vote in elections covered under the Election Code, including regular local elections, municipal officer elections, special elections, and the primary and general elections.

Currently, New Mexico allows 17-year olds who will be 18 by the general election to vote in primaries. SB412/SRCS would expand voting eligibility to all 17-year olds.

The 26th amendment to the U.S. Constitution, ratified in 1971, lowered the minimum voting age from 21 to 18. States are therefore prohibited from enacting higher minimum voting ages but can likely adopt lower ages, as the constitution protects the voting rights of citizens 18-year of age or older, but does not prohibit younger citizens from voting.

Approximately one-third of U.S. states allow 17-year olds who will be 18 by the general election to vote in primaries. Some U.S. cities allow 16- and 17-year olds to vote in municipal and school board elections. A small number of countries, including Argentina, Austria, and Brazil, allow 16-year olds to vote.

Proponents of lowering the voting age point that young Americans can, in many states, work without a limit on their hours and get a driver's license at 16, and that early voting helps to establish a lifetime habit of voting. Opponents of such a move argue that those under 18 lack the necessary maturity to vote.

According to the National Conference of State Legislatures, considerations in registering younger voters include required identification (since some younger voters may not have a driver's license), whether to include minors on publically available voter lists, and how to educate and provide voter outreach and registration to younger voters.

ADMINISTRATIVE IMPLICATIONS

SOS does not anticipate significant system or administrative changes as a result of SB412/SRCS, but notes that it would be necessary to conduct an education campaign to effectively engage and register younger voters.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Bill 336 amends current statute and enacts new sections of statute to provide for voter registration for 16- and 17-year olds.

TECHNICAL ISSUES

In order to clarify that 17 year olds are eligible to participate in municipal officer elections, SOS suggests the following amendment: on page 2, lines 20 and 21, strike the words "statewide and special election" and insert in lieu thereof "election covered by the Election Code."

OTHER SUBSTANTIVE ISSUES

Almost 23 percent of New Mexicans are under 18, and if one assumes an even breakdown by age within that cohort, there are approximately 26.5 thousand 17-year olds. Approximately 6.5 percent of New Mexicans are non-citizens, so nearly 25 thousand 17-year olds could be qualified electors under SB412/SRCS, although some of these would-be voters would already be eligible to vote in primary elections if they would turn 18 by the general election.