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FISCAL IMPACT REPORT

LAST UPDATED _____

SPONSOR Trujillo/Ortez **ORIGINAL DATE** 02/02/23

BILL

SHORT TITLE 16- and 17-Years Olds as Qualified Electors **NUMBER** House Bill 217

ANALYST Hitzman

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	No fiscal impact	Indeterminate but minimal	Indeterminate but minimal			
Total						

Parentheses () indicate expenditure decreases.
*Amounts reflect most recent analysis of this legislation.

Relates to Senate Bill 180 and House Bill 4.

Sources of Information

LFC Files
 Tufts University Tisch College of Civic Life – *Half of Youth Voted in 2020, An 11-Point Increase from 2016 (April 29, 2021)*
 US Census Bureau – *New Mexico Quick Facts*
 PEW Research Center – *Key facts about Hispanic eligible voters in 2022 (October 12, 2022)*
 National Conference of State Legislatures - *Preregistration for Young Voters (January 20, 2023)*

Responses Received From

Secretary of State (SOS)
 New Mexico Attorney General (NMAG)

SUMMARY

Synopsis of House Bill 217

House Bill 217 (HB217) amends the Election Code to allow residents who are at least 16 years of age to vote in elections. The bill also repeals Sections 1-1-5.10 NMSA 1978, which defines a qualified resident as an individual under the age of who otherwise satisfies voter eligibility requirements, and Section 1-4-2 NMSA 1978, which provides for the registration of qualified residents under certain conditions.

The effective date of this bill is January 1, 2024.

FISCAL IMPLICATIONS

The bill does not contain an appropriation. Although the Secretary of State's office did not provide estimates of the fiscal impact of HB217, the agency may see slightly increased costs of registering and maintaining the registration lists of 16-year-olds who would now be eligible to vote, and there would likely be a small increase in demand on the agency's polling capacity and ballot systems as more individuals turn out to vote. Therefore, the fiscal impact is scored as indeterminate but minimal. Because there are no more elections slated for FY23, the cost in this year is scored as zero.

SIGNIFICANT ISSUES

As noted by the Secretary of State's (SOS) office, currently, qualified residents who are under the age of 18 but meet other requirements to vote in New Mexico can preregister to vote, with those registrations becoming officially active when they turn 18 on or before the day of a statewide or special election. For the purposes of a political primary, 17-year-olds may also currently vote if they will turn 18 on or before the general election immediately succeeding that primary election.

Proponents of the bill note that increasing voter turnout is beneficial for a democracy, regardless of age or party leaning, although it might have a disproportionate affect among Hispanic voters. Data shows Latino voters tend to be younger overall, with only one-third of eligible Latino voters over the age of 50, compared with nearly half of U.S. voters. Notably, while U.S. Census Bureau figures show over 50 percent of New Mexico population identify as Hispanic or Latino, and New Mexico has the highest proportion of Latinos eligible to vote in the nation, the proportion of New Mexico's under-18 population is similar to that nationally, and LFC projections on high school graduates show a decline among all ethnic and racial groups over the next decade, suggesting New Mexico's Hispanic population does not skew young. Although hard to predict, the impact of HB217 on Hispanic voters in New Mexico might be muted.

However, it should be noted Tufts University's Tisch College of Civic Life find that 63 percent of voters aged 18 to 29 nationally voted for democratic candidates in the House of Representative elections, so it is possible that allowing 16-year-olds to vote as provided for in HB217 could result in a disproportionate increase in turnout for democratic candidates. However, it is unclear whether this is because 16-year-old Democrats are more likely to turn out to vote or that 16-year-olds are more likely to be Democratic-leaning. Further, data does not indicate whether the turnout from youth voters (ages 18 to 29) effectively changed the results of prior elections.

According to the National Conference of State Legislatures, 15 states and Washington D.C. permit preregistration beginning at 16 years old, including California, Colorado, Delaware, District of Columbia, Florida, Hawaii, Louisiana, Maryland, Massachusetts, New York, North Carolina, Oregon, Rhode Island, Utah, Virginia, and Washington.

PERFORMANCE IMPLICATIONS

Allowing 16-year-olds to vote in elections in New Mexico could increase voter turnout at an early age. The Secretary of State's office measures the number of eligible residents who are

registered to vote and the percent who actually vote in each election as one of the agency’s annual performance measures. By allowing 16-year-olds to register, the agency may see a lag in reporting on the former measure, because most 16-year-olds would now be eligible to vote but would likely take some time to actually register, so the agency’s performance on that measure might also lag behind this change. Historically, youth ages 18 and 19 have voted at lower rates than their slightly older peers, and that data is reflected in New Mexico. In New Mexico, according to data published by Tufts University’s Tisch College of Civic Life, nearly 39 percent of youth voters turned out to vote in 2020, compared with 32 percent of youth ages 18 and 19. However, these numbers still reflect increasing rates of voter participation among younger age groups over time, which will likely result in increased reporting on the SOS’s voter turnout performance measure. However, New Mexico’s rates of youth voter participation lag behind neighboring states, with 18- and 19-year-olds turning out to vote at higher rates in Texas (41 percent), Arizona (46 percent), and Colorado (57 percent).

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The Attorney General’s office notes the following conflicts:

SB180 – conflicts only in that this proposed legislation continues to use the term “qualified resident,” for which HB217 eliminates the definition.

HB4 – conflicts only in that this proposed legislation continues to use the term “qualified resident,” for which HB217 eliminates the definition.

JH/al/hg