

LFC Requester:	Austin Davidson
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 01/29/2024
Bill No: HB19

Sponsor:	<u>Gail Chasey, Janelle Anyanonu & Katy Duhigg</u>	Agency Name and Code Number:	<u>770 - NMCD</u>
Short Title:	<u>Election Offense – False Electors</u>	Person Writing	<u>Anisa Griego-Quintana</u>
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
0	0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 19 creates two new crimes related to election offenses: disrupting election results and falsely acting as a presidential elector. Both carry the penalty of a third degree felony.

Disrupting election results consists of knowingly or recklessly:

- Suppressing, defacing, altering, forging, or making false entries in a county or state canvass report, certificate of election, or certificate of ascertainment of appointment of electors or
- Preparing or submitting a false canvass report, certificate of canvass or election or certificate of ascertainment of appointment of electors.

Falsely acting as a presidential elector consists of knowingly or recklessly making a false representation to an election official or in an election document that the person is an elected presidential elector for the state. It is not a defense that the representation is made with a qualification that the person’s status as an elected presidential elector is conditional upon the occurrence of a future event.

The Attorney General or a district attorney may bring an action in the name of the state to enforce either provision.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

None for the Corrections Department.

PERFORMANCE IMPLICATIONS

None for the Corrections Department.

ADMINISTRATIVE IMPLICATIONS

None for the Corrections Department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None for the Corrections Department.

TECHNICAL ISSUES

None for the Corrections Department.

OTHER SUBSTANTIVE ISSUES

None for the Corrections Department.

ALTERNATIVES

None proposed by the Corrections Department.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None proposed by the Corrections Department.