

LFC Requester:	Emily Hilla
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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 1/24/2014

Bill No: HB 223

Sponsor: John Block, Stefani Lord and Jimmy Mason
Short Title: Voter ID Requirements

Agency Name and Code Number: Regulation and Licensing Department - 420
Person Writing: Benjamin Schrope
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
n/a	n/a	n/a	n/a

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
n/a	n/a	n/a	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	None	None	None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act
Bill proposes to amend numerous provisions of the Election Code, NMSA §§ 1-1-1 through 1-1-28.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB223 amends NMSA §§ 1-1-1 through 1-1-28 (the “Election Code”) primarily by requiring voters to possess and produce a voter identification card in order to vote either in-person or by absentee ballot. The said voter identification card consists of a current driver’s license or identification card issued by the motor vehicle division of the taxation and revenue department (“MVD”) (p. 2). A copy of the voter identification card must be provided in order for a person to register to vote (p. 3). HB223 repeals the option a prospective voter currently possesses to submit a copy of a current utility bill, bank statement, government check, paycheck, student identification card or other government or tribal document that shows current name and address (pp. 5-6). HB223 disallows use of an expired New Mexico driver’s license or identification card when submitting an online application for a mailed ballot (p. 7) and allows the option for an applicant to use their social security number instead of driver’s license or state identification number for this online application (p. 7). HB223 repeals the requirement that registrants who fail to provide acceptable identification “as required by federal law” receive required notice and repeals the requirement that the secretary of state issue rules exempting voters from identification requirements “only as required by federal law” (p. 8). HB223 repeals the requirement that the county clerk notify a new voter that has registered to vote without submitting the necessary identification evidence “[w]hen required by federal law” (p. 10). HB223 authorizes use of a provisional ballot if the required voter identification is challenged (p. 12). HB223 repeals the right of voter to cast a provisional ballot if the voter fails to produce required identification evidence and a signature roster indicates such is required (p. 14). HB223 also repeals the right to cast a provisional ballot in the specific circumstance when a voter has not previously voted in a general election in New Mexico or has been purged from the voter list; registered to vote by mail; did not submit the required identification evidence and does not present to the election judge required voter identification evidence (p. 16). HB223 authorizes a member of the precinct board to impose a challenge if a voter does not properly present required identification evidence (p. 17). In order for a provisional ballot to not be rejected for lack of information, HB223 mandates that required identification evidence must be provided, in addition to a valid signature and sufficient information for the clerk to determine the person is qualified (p. 18). HB223 repeals that the county clerk notify the voter that the voter must submit with the mailed ballot the required identification evidence, “[w]hen required by federal law” (p. 21).

FISCAL IMPLICATIONS

No fiscal impact is anticipated for the Regulation and Licensing Department (“RLD”).

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS