

LFC Requester:

Malone, Carlie

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.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}

Date Prepared: 1/23/2026

Check all that apply:

Bill Number: HB 86

Original Correction

Amendment Substitute

Sponsor: Eleanor Chávez

**Agency Name
and Code
Number:**

Secretary of State - 370

**Person Writing
Analysis:**

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**Short
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected

Total						
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(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:

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

Section 19 of the bill requires that the Secretary of State "certifies that the constitution of New Mexico has been amended as proposed." This requirement would be new and is likely misaligned with existing state constitutional and statutory provisions.

Article 19, Section 1 of the New Mexico Constitution provides that "An amendment that is ratified by a majority of the electors voting on the amendment shall become a part of this constitution."

1-13-15(B) NMSA 1978 outlines the approval of the election canvass and declaration of the result of any constitutional amendments. "The state canvassing board shall also meet in the state capitol on the third Tuesday after each statewide election or special state election to approve the report of the canvass and declare the result of the vote on any constitutional amendment or any ballot question voted upon by the voters of more than one county."

Section 19 should be amended to align with these existing constitutional and statutory requirements. Perhaps something to the effect of "Upon the approval of the election canvass and declaration by the state canvassing board in which voters have approved the amendment as proposed by a joint resolution of the second session of the fifty-seventh legislature entitled..."

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The Secretary of State's Office will continue to administer elections in compliance with state and

federal laws.

AMENDMENTS