

SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 444

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

AN ACT

RELATING TO ELECTIONS; CHANGING CANDIDATE REPORTING
REQUIREMENTS OF THE CAMPAIGN REPORTING ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 1-19-29 NMSA 1978 (being Laws 1993,
Chapter 46, Section 5, as amended) is amended to read:

"1-19-29. TIME AND PLACE OF FILING REPORTS.--

A. Annually, except as otherwise provided in this section, all reporting individuals shall file with the proper filing officer by 5:00 p.m. on the second Monday in May a report of all expenditures made and contributions received on or before the first Monday in May and not previously reported. The report shall be filed annually until the reporting individual's bank account has been closed and the other provisions specified in Subsection [E] F of this section have

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underscoring material = new
[bracketed material] = delete

1 been satisfied.

2 B. In an election year, in addition to the May
3 report provided for in Subsection A of this section, all
4 reporting individuals, except for persons who file a statement
5 of exception pursuant to Section 1-19-33 NMSA 1978 [~~and except~~
6 ~~for~~], candidates who file a statement of no activity and public
7 officials who are not candidates in an election that year,
8 shall file reports of all expenditures made and contributions
9 received according to the following schedule:

10 (1) by 5:00 p.m. on the second Monday in
11 October, a report of all expenditures made and contributions
12 received on or before the first Monday in October and not
13 previously reported;

14 (2) by 5:00 p.m. on the Thursday before a
15 primary, general or statewide special election, a report of all
16 expenditures made and contributions received by 5:00 p.m. on
17 the Tuesday before the election. Any contribution or pledge to
18 contribute that is received after 5:00 p.m. on the Tuesday
19 before the election and that is for five hundred dollars (\$500)
20 or more in a legislative or non-statewide judicial election, or
21 two thousand five hundred dollars (\$2,500) or more in a
22 statewide election, shall be reported to the proper filing
23 officer either in a supplemental report on a prescribed form
24 within twenty-four hours of receipt or in the report to be
25 filed by 5:00 p.m. on the Thursday before a primary, general or

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1 statewide special election, except that any such contribution
2 or pledge to contribute that is received after 5:00 p.m. on the
3 Friday before the election may be reported by 12:00 noon on the
4 Monday before the election; and

5 (3) by 5:00 p.m. on the thirtieth day after a
6 primary, general or statewide special election, a report of all
7 expenditures made and contributions received on or before the
8 twenty-fifth day after the election and not previously
9 reported.

10 C. If a candidate has not received any
11 contributions and has not made any expenditures since the
12 candidate's last report was filed with the proper filing
13 officer, the candidate shall only be required to file a
14 statement of no activity, which shall not be required to be
15 notarized, in lieu of a full report when that report would
16 otherwise be due and shall not be required to file a full
17 report until the next required filing date occurring after an
18 expenditure is made or a contribution is received.

19 [~~C.~~] D. Notwithstanding the other provisions of
20 this section, the report due on the thirtieth day after an
21 election need be the only report filed after the annual May
22 report if the candidate is not opposed in the election and if
23 the report includes all expenditures made and contributions
24 received for that election and not previously reported.

25 [~~D.~~] E. A report of expenditures and contributions

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1 filed after a deadline set forth in this section shall not be
2 deemed to have been timely filed.

3 ~~[E.—Each]~~ F. Except for candidates who file a
4 statement of no activity, each reporting individual shall file
5 a report of expenditures and contributions annually pursuant to
6 the filing schedule set forth in this section, regardless of
7 whether any expenditures were made or contributions were
8 received during the reporting period. Reports shall be
9 required until the reporting individual delivers a report to
10 the proper filing officer stating that:

11 (1) there are no outstanding campaign debts;

12 (2) all money has been expended in accordance
13 with the provisions of Section 1-19-29.1 NMSA 1978; and

14 (3) the bank account has been closed.

15 ~~[F.]~~ G. Each treasurer of a political committee
16 shall file a report of expenditures and contributions annually
17 pursuant to the filing schedule set forth in this section until
18 the treasurer files a report that affirms that the committee
19 has dissolved or no longer exists and that its bank account has
20 been closed.

21 ~~[G.]~~ H. A reporting individual who is a candidate
22 within the meaning of the Campaign Reporting Act because of the
23 amount of contributions ~~[he]~~ the candidate receives or
24 expenditures ~~[he]~~ the candidate makes and who does not
25 ultimately file a declaration of candidacy or a nominating

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1 petition with the proper filing officer and does not file a
2 statement of no activity shall nevertheless file a report, not
3 later than the second Monday in May for a primary election or
4 the second Monday in October for a general election, of all
5 contributions received and expenditures made on or before the
6 first Monday in May for a primary election or the first Monday
7 in October for a general election and not previously reported.

8 ~~[H.]~~ I. Reports required by this section shall be
9 filed electronically by all reporting individuals.

10 ~~[I.]~~ J. Reporting individuals may apply to the
11 secretary of state for exemption from electronic filing in case
12 of hardship, which shall be defined by the secretary of state."

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