

1 AN ACT
2 RELATING TO ELECTIONS; CHANGING CANDIDATE REPORTING
3 REQUIREMENTS OF THE CAMPAIGN REPORTING ACT.
4

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

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

8 "1-19-29. TIME AND PLACE OF FILING REPORTS.--

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

18 B. In an election year, in addition to the May
19 report provided for in Subsection A of this section, all
20 reporting individuals, except for persons who file a
21 statement of exception pursuant to Section 1-19-33 NMSA 1978,
22 candidates who file a statement of no activity and public
23 officials who are not candidates in an election that year,
24 shall file reports of all expenditures made and contributions
25 received according to the following schedule:

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

5 (2) by 5:00 p.m. on the Thursday before a
6 primary, general or statewide special election, a report of
7 all expenditures made and contributions received by 5:00 p.m.
8 on the Tuesday before the election. Any contribution or
9 pledge to contribute that is received after 5:00 p.m. on the
10 Tuesday before the election and that is for five hundred
11 dollars (\$500) or more in a legislative or non-statewide
12 judicial election, or two thousand five hundred dollars
13 (\$2,500) or more in a statewide election, shall be reported
14 to the proper filing officer either in a supplemental report
15 on a prescribed form within twenty-four hours of receipt or
16 in the report to be filed by 5:00 p.m. on the Thursday before
17 a primary, general or statewide special election, except that
18 any such contribution or pledge to contribute that is
19 received after 5:00 p.m. on the Friday before the election
20 may be reported by 12:00 noon on the Monday before the
21 election; and

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

1 reported.

2 C. If a candidate has not received any
3 contributions and has not made any expenditures since the
4 candidate's last report was filed with the proper filing
5 officer, the candidate shall only be required to file a
6 statement of no activity, which shall not be required to be
7 notarized, in lieu of a full report when that report would
8 otherwise be due and shall not be required to file a full
9 report until the next required filing date occurring after an
10 expenditure is made or a contribution is received.

11 D. Notwithstanding the other provisions of this
12 section, the report due on the thirtieth day after an
13 election need be the only report filed after the annual May
14 report if the candidate is not opposed in the election and if
15 the report includes all expenditures made and contributions
16 received for that election and not previously reported.

17 E. A report of expenditures and contributions
18 filed after a deadline set forth in this section shall not be
19 deemed to have been timely filed.

20 F. Except for candidates who file a statement of
21 no activity, each reporting individual shall file a report of
22 expenditures and contributions annually pursuant to the
23 filing schedule set forth in this section, regardless of
24 whether any expenditures were made or contributions were
25 received during the reporting period. Reports shall be

1 required until the reporting individual delivers a report to
2 the proper filing officer stating that:

3 (1) there are no outstanding campaign debts;

4 (2) all money has been expended in
5 accordance with the provisions of Section 1-19-29.1 NMSA
6 1978; and

7 (3) the bank account has been closed.

8 G. Each treasurer of a political committee shall
9 file a report of expenditures and contributions annually
10 pursuant to the filing schedule set forth in this section
11 until the treasurer files a report that affirms that the
12 committee has dissolved or no longer exists and that its bank
13 account has been closed.

14 H. A reporting individual who is a candidate
15 within the meaning of the Campaign Reporting Act because of
16 the amount of contributions the candidate receives or
17 expenditures the candidate makes and who does not ultimately
18 file a declaration of candidacy or a nominating petition with
19 the proper filing officer and does not file a statement of no
20 activity shall nevertheless file a report, not later than the
21 second Monday in May for a primary election or the second
22 Monday in October for a general election, of all
23 contributions received and expenditures made on or before the
24 first Monday in May for a primary election or the first
25 Monday in October for a general election and not previously

1 reported.

2 I. Reports required by this section shall be
3 subscribed and sworn to by the candidate or the treasurer of
4 the political committee. A report filed electronically shall
5 be electronically authenticated by the candidate or the
6 treasurer of the political committee using an electronic
7 signature in conformance with the Electronic Authentication
8 of Documents Act and the Uniform Electronic Transactions Act.
9 For the purposes of the Campaign Reporting Act, a report that
10 is electronically authenticated in accordance with the
11 provisions of this subsection shall be deemed to have been
12 subscribed and sworn to by the candidate or the treasurer of
13 the political committee who was required to file the report.

14 J. Reports required by this section shall be filed
15 electronically by all reporting individuals.

16 K. Reporting individuals may apply to the
17 secretary of state for exemption from electronic filing in
18 case of hardship, which shall be defined by the secretary of
19 state."

20 Section 2. Section 1-19-31 NMSA 1978 (being Laws 1979,
21 Chapter 360, Section 7, as amended) is amended to read:

22 "1-19-31. CONTENTS OF REPORT.--

23 A. Each required report of expenditures and
24 contributions shall be typed or printed legibly, or on a
25 computer disc or format approved by the secretary of state,

1 and shall include:

2 (1) the name and address of the person or
3 entity to whom an expenditure was made or from whom a
4 contribution was received, except as provided for anonymous
5 contributions or contributions received from special events
6 as provided in Section 1-19-34 NMSA 1978; provided that for
7 contributors, the name of the entity or the first and last
8 names of any individual shall be the full name of the entity
9 or individual, and initials only shall not constitute a full
10 name unless that is the complete legal name;

11 (2) the occupation or type of business of
12 any person or entity making contributions of two hundred
13 fifty dollars (\$250) or more in the aggregate per election;

14 (3) the amount of the expenditure or
15 contribution or value thereof;

16 (4) the purpose of the expenditure; and

17 (5) the date the expenditure was made or the
18 contribution was received.

19 B. Each report shall contain an opening and
20 closing cash balance for the bank account maintained by the
21 reporting individual during the reporting period and the name
22 of the financial institution.

23 C. Each report shall specify the amount of each
24 unpaid debt and the identity of the person to whom the debt is
25 owed."
