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FISCAL IMPACT REPORT

SPONSOR	Campos, J.	ORIGINAL DATE LAST UPDATED	HB	238/aHVEC
SHORT TITLE Use of Absentee Ballots on Election Day			 SB	

ANALYST Ortiz

<u>APPROPRIATION (dollars in thousands)</u>

Appropr	iation	Recurring	Fund Affected
FY10	FY11	or Non-Rec	
	No Appropriation		

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB2, SB136 and SJM 42 Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION LFC Files

<u>Responses Received From</u> Attorney General's Office (AGO) NM County Clerks Association Secretary of State (SOS)

SUMMARY

Synopsis of HVEC Amendment

The House Voters and Elections Committee amendment to House Bill 238 deletes references to "absentee" when referring to ballots and cleans up language.

Synopsis of Original Bill

House Bill 238 amends Section 1-6-10 of the Election Code to allow unused absentee ballots be used on election day and requires the secretary of state to promulgate a rule to ensure absentee ballots used as backup ballots are accounted for and unused absentee ballots are destroyed when polls close on election day.

FISCAL IMPLICATIONS

Depending on the methodology the Secretary of State uses to order ballots, this bill may provide a savings to the general fund. In 2008 the general election cost \$5.3 million. Approximately 1.1

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million New Mexicans are registered to vote and 32 percent, or 833,365, voted in the 2008 general election. The agency ordered 2,592,280 ballots, 41 percent more than the total number of registered voters, and approximately 68 percent were destroyed. The total ballot order was \$2.6 million. Other significant expenses included printing and postage to send voter information cards to all voters, advertising proclamations, E-canvass, ballot tracking, equipment programming, guidebooks, and additional election supplies.

According the County Clerks Association, 20 counties, at their own expense, conduct elections by leasing ballot on demand systems therefore the Secretary of State is relieved of purchasing early ballots for these counties. Of the remaining counties, about half order their ballots without distinguishing that the ballots are absentee, giving them the flexibility to use their inventory for either absentee, early or Election Day voters. This leaves the remaining counties, approximately seven, for the Secretary of State to work with the county clerks and thoroughly review any possible savings this bill could provide, which is likely only for absentee and early voting. Such an analysis may help with SB136, which would permit a certified voting system to print ballots at a polling location if it saves money.

The Secretary of State adds that many of our larger counties currently do not use the ballot on demand system that allows for the printing of the electors ballot at early or absentee locations, thus creating this excess waste in printing of ballots.

SIGNIFICANT ISSUES

The amendment addresses the distinction between ballot types made in the original bill.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to Senate Bill 136, which permits a certified voting system to print ballots at a polling location, if it saves money and SJM 42, which requests a study of cost saving with all mail ballots or voting centers. The GAA and HB2 both include appropriations for election costs.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

More ballots than are needed will be ordered and then destroyed.

EO/mew:svb