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FISCAL IMPACT REPORT

SPONSOR Anderson **ORIGINAL DATE** 03/03/11 **LAST UPDATED** _____ **HB** 506
SHORT TITLE Election Candidate Nominations & Petitions **SB** _____
ANALYST Wilson

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB 403

SOURCES OF INFORMATION

LFC Files

Responses Received From

The County Clerks Affiliate (CCA) of the New Mexico Association of Counties.

SUMMARY

Synopsis of Bill

House Bill 506 changes minor party qualification to provide that any candidate for any office receiving 5% of the vote for that office will qualify the party against decertification. This means that one person running under the "Other" party banner for State Representative who receives 5% of the vote in that race would demonstrate enough "support" for the party that it would continue as a qualified political party throughout the state for another four years.

In addition, this bill changes the filing date for minor party candidates to the second Tuesday in July. Given that the signatures on these petitions must be verified by the Secretary of State which is a different process from all other candidates, the Secretary of State will have approximately 56 days to qualify each candidate and provide for court challenges before ballots have to be certified to the printer in order to comply with federal MOVA Act military ballot mailing dates. If a statewide or congressional candidate turns in 10,000 or more signatures, it may not be enough time.

FISCAL IMPLICATIONS

There is no fiscal impact.

SIGNIFICANT ISSUES

This bill also allows seven day periods of time for candidates to turn in petition signatures, instead of the current system of having a single filing day. The reality is that because petitions are public documents, candidates will typically wait until the last day to file in order to keep their opponents from getting a jump on the signature challenge process. Meanwhile, election officials will have to field numerous requests each day during this period from people seeking to copy whatever petitions have or have not been filed.

This bill also permits voters to sign more than one petition for a candidate for the same office. Currently a signature is not valid if a person signs petitions of multiple candidates for the same office. Under the proposed scenario, petition signatures do not denote in any way support for a particular candidacy, and thus become virtually worthless.

In terms of petition signatures, this bill reduces the number of signatures needed to become a statewide candidate from thousands down to hundreds. While it is important to maintain ballot access, it is also important to restrict ballot access to those candidates who can demonstrate support and viability as candidates. The current petition signature process was implemented after the 1972 US Senate race in New Mexico, where there were 42 candidates in the Democratic Primary.

ADMINISTRATIVE IMPLICATIONS

The Secretary of State and the county clerks can handle the provisions of this bill with existing staff as part of ongoing responsibilities.

RELATIONSHIP

This bill duplicates many sections of SB 403. The CCA supports SB 403.

DW/mew