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FISCAL IMPACT REPORT

SPONSOR Feldman ORIGINAL DATE 01/19/10
LAST UPDATED _____ HB _____

SHORT TITLE Contribution & Distribution to Candidates SB 32

ANALYST Wilson

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Public Regulation Commission (PRC)

No Response From

Secretary of State (SOS)

SUMMARY

Synopsis of Bill

Senate Bill 32 amends the Voter Registration Act as follows:

Adds a definition of political party as an organization qualified as a political party in New Mexico according to Section 1-7-2 of the Voter Action Act;

Changes shall to will regarding the candidate's filing of the declaration of intent and clarifies that the filing of the declaration may be prior to or during the qualification period;

States that if a candidate has accepted qualifying contributions or any other contributions before filing their declaration they may not be an applicant candidate;

Upon receipt of a final submittal of qualifying contributions by an applicant candidate, the SOS shall determine whether the applicant candidate has collected and submitted the

appropriate number of qualifying contributions after filing a declaration of intent;

Removes gender-specific pronoun, changing he to certified candidate;

Specifies that contributions to a candidate from a political party may only be in-kind contributions;

Specifies that the SOS will not only publish permissible campaign expenditures, but will also publish penalties for violation of the Voters Action Act;

Updates Voter Action Act to change Election Code to Campaign Reporting Act;

Changes deadline for the SOS's distribution of funds to primary election candidates from one week to ten calendar days of certification;

Changes deadline for the SOS's distribution of funds to general election candidates from one week to ten calendar days after the primary or ten days after certification;

Changes specific years languages by changing 2007 to odd-numbered years and 2008 to the next general election

Reduces the amount of money distributed to a certified candidate for the uncontested general elections from 50% to 10% of the amount allowed for distribution;

Specifies that the amount of expenditures made independently on behalf of a certified candidate and the value of in-kind contributions made to a candidate by a political party will be subtracted from any excess amount of matching funds to be distributed to certified candidates.

FISCAL IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

SIGNIFICANT ISSUES

The intent of this bill is to improve the process for financing candidates for public offices.

ADMINISTRATIVE IMPLICATIONS

The SOS should be able to handle the provisions of this bill with existing staff as part of its ongoing responsibilities.

DW/mew