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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/20/11

SPONSOR Morales and James LAST UPDATED 03/17/11 HB \_\_\_\_\_

SHORT TITLE Precinct Consolidation for Certain Elections SB 337/aSJC/aSFL#1

ANALYST Aledo

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	*See Fiscal Implications		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Secretary of State (SOS)  
 Attorney General's Office (AGO)  
 Association of Counties (AC)  
 Association of County Clerks (ACC)  
 New Mexico Municipal League (NMML)

### SUMMARY

#### Synopsis of Senate Floor Amendment #1

The Senate Floor amendment to Senate Bill 337 deletes the Senate Judiciary Committee Amendment and adds a new section which requires that as a prerequisite to consolidation the authorizing resolution must find that consolidation will make voting more convenient and accessible to voters of the consolidated precinct and does not result in delays for voters in the voting process and the consolidated precinct voting location will be centrally located within the consolidated precinct.

#### Synopsis of SJC Amendment

The Senate Judiciary Committee amendment to Senate Bill 337 requires that as a prerequisite to consolidation the county commission must find that consolidation will make voting more convenient and accessible to voters of the consolidated precinct and does not result in delays for voters, and that the consolidated precinct voting location will be centrally located within the consolidated precinct.

Synopsis of Original Bill

Senate Bill 337 allows the consolidation of precincts for primary and general elections and sets out specific criteria to be followed. Commonly known as “Vote Centers”, consolidated precinct locations will function like the early voting sites currently in use in New Mexico, where a voter may go to any polling location in the county to cast a vote. This proposal allows County Commissions to exempt rural precincts from the vote center concept, ensuring voters in both urban and rural areas of the state will be served in the most efficient way on Election Day.

SB 337 includes the following requirements:

- any voter of the county be allowed to vote in any consolidated precinct polling location in the county;
- each consolidated precinct be comprised of no more than ten precincts;
- each consolidated precinct shall comply with the provisions relevant to polling places set forth in Section 1-3-7 NMSA 1978 of the Election Code;
- each consolidated precinct polling location have a broadband internet connection and real-time access to the statewide voter registration electronic management system (VREMS);
- the county clerk be allowed to maintain any alternative voting locations previously used;

This legislation also requires all consolidated precincts to have at least one optical scan tabulator, have one voting system available to assist disabled voters, provide sufficient space for at least five voters to simultaneously and privately mark their ballots, have a secured area for the storage of preprinted ballots, and be in a location that is accessible and compliant with the federal Americans with Disabilities Act of 1990.

**FISCAL IMPLICATIONS**

Senate Bill 377 could potentially provide cost savings in the administration of elections. By consolidating polling locations and employing ballot on demand, where ballots are printed at the polling place only for those voters who show up to vote, should be less than current costs of preprinting ballots for every precinct. However, some of that savings may be offset by the requirement of equipping each consolidated precinct with certain computer hardware and accompanying software.

SB 337 includes two provisions which will lead to additional expenses. The bill does not clearly identify if the expenses will be borne by the Secretary of State’s Office or the individual counties.

- The provision on page 4, line 19 of this bill allows any voter of the county to vote in any consolidated precinct polling location in the county. According to the Secretary of State’s Office, without the implementation of Auto-Vote, a large amount of ballots would have to be created as each polling location would have to be prepared to accommodate all voters within the county for each Primary and General Election.
- The provision on page 5, lines 1-4 mandates that each consolidated precinct have a broadband internet connection and real-time access to the statewide voter registration electronic management system. The SOS states that currently access may not be available in all counties and would require an added expense.

## **SIGNIFICANT ISSUES**

The Association of County Clerks states that for the past three general elections, a minority of voters cast their ballot on Election Day, yet the current system continues to provide 1,500 precinct-based voting locations throughout the state. SB 337 would allow counties the choice to consolidate precincts.

According to the SOS, counties would be required to report vote totals by unconsolidated precincts, in accordance with NMSA 1-12-70. As such, references to precincts on page 1, line 24, would only apply to the voting process, and not to reporting of vote totals.

## **PERFORMANCE IMPLICATIONS**

Although consolidated precincts are likely to bring efficiencies to elections in New Mexico by requiring fewer staff to manage and monitor the voting process, and increasing ballot security, as ballots are only printed when the voter arrives to the polling place, the SOS is concerned that consolidated precincts could result in longer lines at the consolidated polling locations on Election Day.

## **ADMINISTRATIVE IMPLICATIONS**

According to the Association of Counties, this bill offers a new way of administering the state's various elections. The present system poses an inefficient use of resources, both in terms of staffing and the use of pre-printed polling cards that are distributed to 1500 locations around the state.

## **OTHER SUBSTANTIVE ISSUES**

This proposal has the unanimous support of the County Clerks and is a Legislative Priority for the New Mexico Association of Counties.

MCA/svb:bym