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FISCAL IMPACT REPORT

SPONSOR Ortiz y Pino **ORIGINAL DATE** 02/25/11
LAST UPDATED 03/09/11 **HB** _____

SHORT TITLE County Clerks Provide Absentee Ballot Lists **SB** 340/aSRC/aSPAC

ANALYST Aledo

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		*See Fiscal Implications				

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 248

SOURCES OF INFORMATION

LFC Files

Responses Received From

Secretary of State (SOS)

County Clerks Affiliate (CCA)

SUMMARY

Synopsis of SPAC Amendment

The Senate Public Affairs Committee Amendment to Senate Bill 340 broadens eligibility to anyone who requests to be placed on the permanent absentee ballot application list.

Synopsis of SRC Amendment

The Senate Rules Committee Amendment to Senate Bill 340 makes a technical change and removes two groups of people from the list of eligible voters. The amendment removes voters who are unable to read or write and voters who are members of a language minority who are unable to read well enough to exercise the elective franchise

Synopsis of Original Bill

Senate Bill 340 allows county clerks to maintain a permanent absentee ballot application list, but does not require them to do so. Voters on the list would automatically be sent an absentee ballot application 42 to 49 days prior to each election if the voter submits a written request and if the voter meets the following criteria:

- is at least sixty-five (65) years of age or older;

- is blind;
- is physically disabled;
- is unable to read or write; or
- is a member of a language minority who is unable to read well enough to exercise the elective franchise.

Removal from the permanent list would occur when removal is requested in writing, the voter's registration or registration eligibility is inactive or canceled as provided by law, or the absentee ballot application is returned to the county clerk as undeliverable.

The bill also prohibits the county clerk from filling in the voter's information on the absentee ballot application in advance and requires the county clerks to mail the application to the registration address.

FISCAL IMPLICATIONS

There is no fiscal impact to the Secretary of State's office and counties would not be mandated to incur the expense.

On page 2, lines 5-11, the bill provides that an eligible voter may request to be included on the permanent list by submitting a form approved by the Secretary of State. The Secretary of State's office contends that the bill is unclear as to whether the cost of producing and printing those forms will be borne by the Secretary of State or the counties, or whether an electronic form that can be printed by the county clerks would be acceptable. If the form is to be provided and printed by the Secretary of State, there would be a fiscal impact, the amount of which is not known at this time.

SIGNIFICANT ISSUES

SOS notes that voters who are unable to read or write, or unable to read well enough to exercise the elective franchise would require a third party to assist them in submitting the written request to be placed on the list, as well as assistance in completing the absentee ballot application and the absentee ballot

PERFORMANCE IMPLICATIONS

SOS also states that some counties currently utilize a permanent absentee ballot application list, and do not limit the voters to the restrictions contained in this bill.

OTHER SUBSTANTIVE ISSUES

The County Clerk Affiliate endorses this bill and adds the state voter registration software has the necessary capability to enact the requirements of this bill.

MCA/bym:mew