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SENATE BILL 336

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Stuart Ingle

AN ACT

RELATING TO CAMPAIGN FINANCE; CHANGING CONTRIBUTION LIMITS FOR CERTAIN ELECTIVE OFFICES TO A TWO-YEAR CYCLE; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 1-19-34.7 NMSA 1978 (being Laws 2009, Chapter 68, Section 1) is amended to read:

"1-19-34.7. CONTRIBUTION LIMITATIONS--CANDIDATES-- POLITICAL COMMITTEES.--

A. The following contributions by the following persons are prohibited:

(1) from a person, not including a political committee, to a:

(a) candidate for nonstatewide office, including the candidate's campaign committee, in an amount that

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1 will cause that person's total contributions to the candidate
2 to exceed two thousand three hundred dollars (\$2,300) during
3 [~~the~~] a primary election period or two thousand three hundred
4 dollars (\$2,300) during [~~the~~] a general election period;

5 (b) candidate for statewide office,
6 including the candidate's campaign committee, in an amount that
7 will cause that person's total contributions to the candidate
8 to exceed five thousand dollars (\$5,000) during [~~the~~] a primary
9 election period or five thousand dollars (\$5,000) during [~~the~~]
10 a general election period; or

11 (c) political committee in an amount
12 that will cause that person's total contributions to the
13 political committee to exceed five thousand dollars (\$5,000)
14 during a primary election period or five thousand dollars
15 (\$5,000) during a general election period; and

16 (2) from a political committee to:

17 (a) a candidate for office, including
18 the candidate's campaign committee, in an amount that will
19 cause the political committee's total contributions to the
20 candidate to exceed five thousand dollars (\$5,000) during [~~the~~]
21 a primary election period or five thousand dollars (\$5,000)
22 during [~~the~~] a general election period; or

23 (b) another political committee in an
24 amount that will cause that political committee's total
25 contributions to the political committee to exceed five

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1 thousand dollars (\$5,000) during a primary election period or
2 five thousand dollars (\$5,000) during a general election
3 period.

4 B. All contributions made by a person to a
5 candidate, either directly or indirectly, including
6 contributions that are in any way earmarked or otherwise
7 directed through another person to a candidate, shall be
8 treated as contributions from the person to that candidate.

9 C. A person, including a political committee, shall
10 not knowingly accept or solicit a contribution, directly or
11 indirectly, including a contribution earmarked or otherwise
12 directed or coordinated through another person, including a
13 political committee, that violates the contribution limits
14 provided for in this section.

15 D. On the day after each general election, the
16 contribution amounts provided in Subsection A of this section
17 shall be increased by the percentage of the preceding two
18 calendar years' increase of the consumer price index for all
19 urban consumers, United States city average for all items,
20 published by the United States department of labor. The amount
21 of the increase shall be rounded to the nearest multiple of one
22 hundred dollars (\$100). The secretary of state shall publish
23 by October 1 before each general election the adjusted
24 contribution limits that shall take effect the day after the
25 following general election.

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1 E. All contributions in excess of the limits
2 imposed by the provisions of this section shall be deposited in
3 the public election fund upon a finding by the secretary of
4 state that the contribution limits have been exceeded.

5 F. The limitation on contributions to a candidate
6 provided for in Subsection A of this section shall not apply to
7 a candidate's own contribution from the candidate's personal
8 funds to the candidate's own campaign.

9 G. For the purposes of this section:

10 (1) "primary election period" means the period
11 beginning on the day after ~~[the]~~ each general election ~~[for the~~
12 ~~applicable office]~~ and ending on the day of the following
13 primary ~~[for that office]~~ election; and

14 (2) "general election period" means the period
15 beginning on the day after ~~[the]~~ each primary ~~[for the~~
16 ~~applicable office]~~ election and ending on the day of the
17 following general election ~~[for that office]."~~

18 SECTION 2. EMERGENCY.--It is necessary for the public
19 peace, health and safety that this act take effect immediately.