

HOUSE BILL 152

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

Debbie A. Rodella and Miguel P. Garcia

AN ACT

RELATING TO ELECTIONS; CHANGING A DATE FOR FILING CAMPAIGN  
REPORTS.

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

SECTION 1. Section 1-19-29 NMSA 1978 (being Laws 1993,  
Chapter 46, Section 5, as amended) is amended to read:

"1-19-29. TIME AND PLACE OF FILING REPORTS.--

A. Except as otherwise provided in this section,  
all reporting individuals shall file with the proper filing  
officer by 5:00 p.m. on the second Monday in April and October  
a report of all expenditures made and contributions received on  
or before the first Monday in those months and not previously  
reported. The report shall be filed biannually until the  
reporting individual's bank account has been closed and the  
other provisions specified in Subsection F of this section have

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1 been satisfied.

2 B. In an election year, instead of the biannual  
3 reports provided for in Subsection A of this section, all  
4 reporting individuals, except for public officials who are not  
5 candidates in an election that year, shall file reports of all  
6 expenditures made and contributions received or, if applicable,  
7 statements of no activity, according to the following schedule:

8 (1) by 5:00 p.m. on the second Monday in  
9 April, a report of all expenditures made and contributions  
10 received on or before the first Monday in April and not  
11 previously reported;

12 (2) by 5:00 p.m. on the second Monday in May,  
13 a report of all expenditures made and contributions received on  
14 or before the first Monday in May and not previously reported;

15 (3) by 5:00 p.m. on the second Monday in  
16 September, a report of all expenditures made and contributions  
17 received on or before the first Monday in September and not  
18 previously reported;

19 (4) by 5:00 p.m. on the second ~~Monday~~  
20 Tuesday in October, a report of all expenditures made and  
21 contributions received on or before the first Monday in October  
22 and not previously reported;

23 (5) by 5:00 p.m. on the Thursday before a  
24 primary, general or statewide special election, a report of all  
25 expenditures made and contributions received by 5:00 p.m. on

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1 the Tuesday before the election. Any contribution or pledge to  
2 contribute that is received after 5:00 p.m. on the Tuesday  
3 before the election and that is for five hundred dollars (\$500)  
4 or more in a legislative or nonstatewide judicial election, or  
5 two thousand five hundred dollars (\$2,500) or more in a  
6 statewide election, shall be reported to the proper filing  
7 officer either in a supplemental report on a prescribed form  
8 within twenty-four hours of receipt or in the report to be  
9 filed by 5:00 p.m. on the Thursday before a primary, general or  
10 statewide special election, except that any such contribution  
11 or pledge to contribute that is received after 5:00 p.m. on the  
12 Friday before the election may be reported by 12:00 noon on the  
13 Monday before the election; and

14 (6) by 5:00 p.m. on the thirtieth day after a  
15 primary, general or statewide special election, a report of all  
16 expenditures made and contributions received on or before the  
17 twenty-fifth day after the election and not previously  
18 reported.

19 C. If a candidate or public official has not  
20 received any contributions and has not made any expenditures  
21 since the candidate's or official's last report was filed with  
22 the proper filing officer, the candidate or official shall only  
23 be required to file a statement of no activity, which shall not  
24 be required to be notarized, in lieu of a full report when that  
25 report would otherwise be due and shall not be required to file

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1 a full report until the next required filing date occurring  
2 after an expenditure is made or a contribution is received.

3 D. In an election year, a public official who is  
4 not a candidate shall file biannual reports of expenditures  
5 made and contributions received or statements of no activity in  
6 accordance with the schedule provided for in Subsection A of  
7 this section.

8 E. A report of expenditures and contributions filed  
9 after a deadline set forth in this section shall not be deemed  
10 to have been timely filed.

11 F. Except for candidates and public officials who  
12 file a statement of no activity, each reporting individual  
13 shall file a report of expenditures and contributions pursuant  
14 to the filing schedules set forth in this section, regardless  
15 of whether any expenditures were made or contributions were  
16 received during the reporting period. Reports shall be  
17 required until the reporting individual delivers a report to  
18 the proper filing officer stating that:

- 19 (1) there are no outstanding campaign debts;  
20 (2) all money has been expended in accordance  
21 with the provisions of Section 1-19-29.1 NMSA 1978; and  
22 (3) the bank account has been closed.

23 G. Each treasurer of a political committee shall  
24 file a report of expenditures and contributions pursuant to the  
25 filing schedules set forth in this section until the treasurer

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1 files a report that affirms that the committee has dissolved or  
2 no longer exists and that its bank account has been closed.

3 H. A reporting individual who is a candidate within  
4 the meaning of the Campaign Reporting Act because of the amount  
5 of contributions the candidate receives or expenditures the  
6 candidate makes and who does not ultimately file a declaration  
7 of candidacy or a nominating petition with the proper filing  
8 officer and does not file a statement of no activity shall file  
9 biannual reports in accordance with Subsection A of this  
10 section.

11 I. Reports required by this section shall be  
12 subscribed and sworn to by the candidate or the treasurer of  
13 the political committee. A report filed electronically shall  
14 be electronically authenticated by the candidate or the  
15 treasurer of the political committee using an electronic  
16 signature in conformance with the Electronic Authentication of  
17 Documents Act and the Uniform Electronic Transactions Act. For  
18 the purposes of the Campaign Reporting Act, a report that is  
19 electronically authenticated in accordance with the provisions  
20 of this subsection shall be deemed to have been subscribed and  
21 sworn to by the candidate or the treasurer of the political  
22 committee who was required to file the report.

23 J. Reports required by this section shall be filed  
24 electronically by all reporting individuals.

25 K. Reporting individuals may apply to the secretary

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1 of state for exemption from electronic filing in case of  
2 hardship, which shall be defined by the secretary of state."

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