

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 2/1/18
SPONSOR Ivey-Soto **LAST UPDATED** _____ **HB** _____

SHORT TITLE Registered All Qualified Electors to Vote, CA **SJR** 5

ANALYST Sánchez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Increase See Fiscal Implications	Increase See Fiscal Implications	Increase See Fiscal Implications	Nonrecurring	General Fund Other State Funds

(Parenthesis () Indicate Expenditure Decreases)

Relates to the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Secretary of State (SOS)

SUMMARY

Synopsis of Bill

Senate Joint Resolution 5 proposes to amend the New Mexico constitution requiring the state to ensure that all qualified electors are registered to vote for each election, except those who affirmatively choose not to be registered. The joint resolution also requires that the vote of a qualified elector shall not be excluded for failure of the state to ensure registration on or before an election day.

FISCAL IMPLICATIONS

Section 1-16-13 NMSA 1978 requires the Secretary of State (SOS) to print the full text of each proposed constitutional amendment, in both Spanish and English, in an amount equal to 10 percent of the registered voters in the state. The SOS is also constitutionally required to publish the full text of each proposed constitutional amendment once a week for four weeks preceding the election in newspapers in every county in the state. According to Secretary of State, the most recent cost to print a constitutional amendment is \$47.60 per word.

Senate Joint Resolution 5 – Page 2

According to SOS, it is required to print the full text of each proposed constitutional amendment, in both Spanish and English, in an amount equal to 10 percent of the registered voters in the state. In the 2016 general election, the SOS printed approximately 129,000 copies of the “Voter Guide” at a total cost of \$19,041. This cost includes publishing one 1.5 page (332 words) constitutional amendment as well as the LCS summary of the general obligation bond. The cost of producing the voter guide will change depending upon the number and length of the constitutional amendments passed.

The SOS is constitutionally required to publish the full text of each proposed constitutional amendment once a week for four weeks preceding the election in newspapers in every county in the state. In 2016, the SOS spent \$245,918 for the required newspaper publications which included printing one 1.5 page (332 words) constitutional amendment at a total cost \$15,803 (the rest of the publication cost was for printing the full general obligation bond, as required in that bill each year). This publication cost is dependent upon the number and length of the constitutional amendments that are passed.

SOS states that the number of constitutional amendments that pass may also impact the page size of the ballot, or if the ballot size is caused to become greater than one page, front and back, which may increase the cost of producing the ballots for the general election. In addition to the cost of the ballot, there may be time added to the voting process, which would require additional ballot printing systems to ensure a smooth and efficient voting process within the bounds of national best practices.

SOS reports that newspaper publication costs for this amendment, based on size, are estimated to be \$20,000 and voter guide costs are estimated at \$20,000 in FY19. The total costs will vary depending upon the total number of constitutional amendments that are passed.

SIGNIFICANT ISSUES

SOS states that in addition to standard publication costs, computer systems at the Motor Vehicle Division, the Secretary of State, and possibly other state agencies may be required to identify and implement the requirement to register every qualified elector in the state allow a voter to choose not be registered. Any extra costs, should the constitutional amendment pass, would likely impact FY20 as well.

ADMINISTRATIVE IMPLICATIONS

According to SOS, if this bill passes, it will appear as a constitutional amendment on the 2018 general election ballot. If the voters pass the constitutionally amendment, the legislature will have to pass enabling legislation to provide the authority for the administration of the mandates. Additionally, the Election Code would need to be amended to comply with the new constitutional amendment.

Automatic voter registration may lead to a larger number of voters that are not affiliated with a major party and, under current laws, these voters would be unable to participate in a primary election.

OTHER SUBSTANTIVE ISSUES

SOS opines that depending on the enabling legislation, it is likely that automatic voter registration will ease some of the administrative overhead currently experienced when registering voters. For example, on the days prior to the registration books closing for the 2016 general election, 65,000 registrations were received and the subsequent processing of these registrations by the county clerks took weeks, all while absentee and early voting was underway. If qualified electors were automatically registered based upon information already existing in other government databases, the processing of registrations would be more continual and workloads likely more regulated.

Additionally, automatic voter registration will likely result in cleaner, more accurate voter rolls. Currently, a registered voter must submit a new voter registration form or electronic voter registration to update the information on their voter registration record. If the updated information was automatically provided upon updating this information with another governmental entity, such as Taxation and Revenue, the voter rolls would be more accurate.

ABS/al