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FISCAL IMPACT REPORT

ORIGINAL DATE 2/7/19

SPONSOR Shmedes LAST UPDATED _____ HB 292

SHORT TITLE Early Voting Voter Privacy SB _____

ANALYST Gaussoin

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total				NFI		

(Parenthesis () Indicate Expenditure Decreases)

Related to House Bills 57, 86 and 407.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Secretary of State (SOS)

Association of County Clerks (ACC)

New Mexico Attorney General (NMAG)

SUMMARY

Synopsis of Bill

House Bill 292 strikes language in election law that requires county clerks and the Secretary of State to provide absentee voter information to political parties and others under certain conditions. Specifically, the bill makes the following changes:

- Deletes a requirement that county clerks transmit to the county chairs of each major political party with lists of absentee voters, if requested, once a week starting four weeks before an election;
- Deletes a requirement that the Secretary of State include absentee and early voter information in the index of all voters available on written request from political parties, candidates, election-related organizations, or election observers;
- Replaces language that requires county clerks to include information on voters who requested or returned absentee ballots or voted early in person on an electronically transmitted voter list with language that says the list, which can be requested by a candidate or political party, will include the total number of voters who have voted in an

- election and may break that total number down by political party or no party affiliation;
- Restricts public inspection of the absent voter register during the 28 days before an election.

FISCAL IMPLICATIONS

The bill is unlikely to have a fiscal impact.

SIGNIFICANT ISSUES

SOS notes, under the bill, political-party-appointed challengers may inspect the signature rosters at polling locations and during the processing of absentee ballots, which contains a full listing of absentee and early voters. If this information cannot be transmitted electronically, challenger presence at polling locations is likely to increase.

NMAG notes the bill as drafted removes the requirement that county clerks and SOS provide absentee and early voter information but does not prohibit county clerks and SOS from providing that information.

ADMINISTRATIVE IMPLICATIONS

SOS and the Association of Counties report the bill would have no impact on administration.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB57 would end the practice of terminating the voting rights upon a voter's felony conviction.

HB86 would allow election-day voter registration.

HB407 revamps election law, making extensive changes, mostly insubstantial. However, it also includes some sections that could restrict voter participation.

POSSIBLE QUESTIONS

NMAG asks why absentee and early voter information is included and not other information about voters?

HFG/sb