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## FISCAL IMPACT REPORT

SPONSOR Fajardo ORIGINAL DATE 2/6/19  
LAST UPDATED \_\_\_\_\_ HB 305  
SHORT TITLE Candidate Proof of Residence SB \_\_\_\_\_  
ANALYST Gaussoin

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>				NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to HB407.

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Secretary of State (SOS)

New Mexico Attorney General (NMAG)

### SUMMARY

#### Synopsis of Bill

House Bill 305 would require candidates for elected office to submit a federally recognized valid driver's license or identification card as proof of residence within two days of submitting a declaration of candidacy.

### FISCAL IMPLICATIONS

The bill is not likely to create an additional administrative or financial burden for state agencies.

### SIGNIFICANT ISSUES

The bill amends Chapter 1, Article 8, of state law, but proof of residency is addressed in Article 1, Section 1. SOS and NMAG point out this bill would create a conflict in state law.

In addition, SOS and NMAG note the bill could discourage election participation by restricting proof of residency to federally accepted IDs intended for purposes unrelated to elections.

NMAG notes the election code does not require an ID for either voters or candidates. Candidates provide addresses when submitting their candidacy paperwork. If a dispute arises, state law calls for election officials to defer to the address listed on the candidate's voter registration documents, provided the candidate resides on the premises.

NMAG points out candidates can be charged with a felony for making false statements on their declarations, if the intent of the bill is to prevent fraud.

**ADMINISTRATIVE IMPLICATIONS**

SOS suggests administration of the provisions of the bill could be simplified if candidates were required to submit the proof of residency at the same time as other candidacy documents.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB407 revamps election law, making extensive, substantive changes.

HFG/sb