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FISCAL IMPACT REPORT

SPONSOR Pirtle ORIGINAL DATE 02/04/21
LAST UPDATED _____ HB _____
SHORT TITLE Governing Body Acting with a Majority Present SB 125
ANALYST Glenn

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Office of the Attorney General (NMAG)

SUMMARY

Synopsis of Bill

Senate Bill 125 amends provisions of the Municipal Code related to ordinances to provide that an ordinance or resolution is adopted if it is approved at a meeting of a municipality's governing body by vote of the majority of the members present. Under existing law, all the members of the governing body are counted for purposes of determining a majority necessary to approve an ordinance, whether or not the members are present for the vote.

The effective date of SB125 is July 1, 2021.

FISCAL IMPLICATIONS

No fiscal impact was reported for this bill.

SIGNIFICANT ISSUES

Generally, a public body may take action at a meeting only if a majority of its members are present at a meeting, and actions of the public body are approved or disapproved by a majority of the members present at the meeting. The amendments proposed in SB125 would make action taken by a municipality's governing board on ordinances and resolutions consistent with the general rule.

BG/al/rl