

LFC Requester:

LEGER

AGENCY BILL ANALYSIS
2024 REGULAR SESSION

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{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original Amendment
Correction Substitute

Date 1/23/2024

Bill No: HJR 5

Sponsor: Figueroa

Agency Name
and Code
Number:

Secretary of State, 370

LEGISLATIVE SESSION
CHANGES, CA

Person Writing Analysis: Lindsey Bachman

Lindsey.bachman@sos

Short Title:

Phone: 505-479-2626 Email: .nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|------------------------------|------------------|
| FY24 | FY25 | | |
| | | | |
| | | | |

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------------|------------------|
| FY24 | FY25 | FY26 | | |
| | | | | |
| | | | | |

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY24 | FY25 | FY26 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|-------------|-------------------|-------------|------------------------------|--------------------------------------|--------------------------|
| Total | | \$116.5- 126.5 | N/A | \$116.5- 126.5 | Nonrecurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Joint Resolution 5 proposes a constitutional amendment question be included in the next general election or any special election prior to that date that will be called for that purpose. The question asks voters to approve or reject an amendment to Article 4 Section of the Constitution of New Mexico to change the length of legislative sessions in even-numbered years to sixty days; allow the consideration of all subjects during each regular legislative session; and provide for consideration of governor veto overrides for bills of certain special or extraordinary legislative sessions.

FISCAL IMPLICATIONS

If the bill passes, the constitutional amendment might be decided by the voters in the next general election which is in FY25. It might also be decided by a special election prior to that time. In either case, for the purposes of determining the costs involved, the Secretary of State (SOS) wishes to inform legislators that, pursuant to NMSA 1978, Section 1-16-4, and Article 19 Section 1 of the New Mexico Constitution, the SOS is required to publish the ballot question for each proposed constitutional amendment, in both Spanish and English.

The SOS is constitutionally required to publish the ballot question of each proposed constitutional amendment once a week for four consecutive weeks preceding the election in one newspaper in every county in the state. The cost will vary based on the length of the ballot question. Historically, the estimated publication cost per amendment was approximately \$142,000; however, due to recent legislative changes, the publication costs have significantly decreased to approximately \$75,000 - \$85,000 per amendment.

The SOS also produces a general election voter guide that includes information about proposed constitutional amendments as well general information about voting. The office provides it to voters at polling locations throughout the state. The cost of producing the voter guide will change depending upon the number and length of the constitutional amendments passed and the number of registered voters. However, as a reference, the 2022 Voter Guide cost approximately \$41,500 from GSD State Printing.

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 will 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.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

The legislature should be aware that the following statutorily required election activity falls within the proposed extended period:

Municipal Officer Election (first Tuesday in March, even numbered years) - 1-22-3.1 NMSA 1978; This election occurs in municipalities that have not opted-in to the regular location election in odd-numbered years. While municipal clerks perform many administrative duties related to this election, the Secretary of State's Office still plays a large technical and administratively supportive role.

Special Elections (mid-Feb. through mid-March) - 1-24-1(C) NMSA 1978; No special election shall be held beginning the seventieth (70) day prior to any statewide election and until: (1) the one hundredth (100) day following a general or regular local election; or (2) the seventieth (70) day following a major political party primary or an election to fill a vacancy in the office of united states representative.

Candidate Filing Day (second Tuesday in March, even numbered years) - 1-8-26 NMSA 1978; Declarations of candidacy for non-federal and non-statewide candidates to be nominated in the primary election shall be filed with the county clerk in the county in which the candidate resides between the hours of 9:00 a.m. and 5:00 p.m.

The legislative session fundraising prohibition period provided for in 1-19-34.1 NMSA 1978 would also be extended to the end of the proposed 60-day session.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS