

LFC Requester:

DAVIDSON

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.nmlegis.gov

{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 8

Sponsor: Lane, Townsend, Lord,
Armstrong, Block

**Agency Name
and Code
Number:**

Secretary of State, 370

DECLARATIONS OF
EMERGENCY, CA

Person Writing Analysis: Lindsey Bachman

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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 8 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 of the Constitution of New Mexico to provide that a declaration of a state of emergency pursuant to a power granted to the governor by law terminates after ninety days unless the governor calls the legislature into special session to address the circumstances of the emergency and to require a three-fifths' vote of the legislature to extend, restrict, suspend or terminate the emergency declaration.

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

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS