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HOUSE BILL 268

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Gail C. Beam

AN ACT

**RELATING TO ELECTIONS; AMENDING THE CAMPAIGN REPORTING ACT;
REQUIRING DISCLOSURE OF SPONSOR IN CERTAIN TELEPHONE
COMMUNICATIONS PAID FOR BY POLITICAL OR CAMPAIGN COMMITTEES;
CHANGING THE REPORTING THRESHOLD FOR POLITICAL COMMITTEES;
MAKING AN APPROPRIATION.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. A new section of the Campaign Reporting Act
is enacted to read:**

**"[NEW MATERIAL] CAMPAIGN COMMITTEE AND POLITICAL
COMMITTEE EXPENDITURES-- DISCLOSURE-- TELEPHONE CALLS--
RECORDS. --**

**A. A campaign committee or political committee
that is required to register pursuant to the Campaign
Reporting Act shall not expend campaign or political committee**

1 funds to directly or indirectly pay for a telephone call
2 without disclosing to the recipient the name of the
3 organization that authorized or paid for the call if the call:

4 (1) is one of five hundred or more calls that
5 are similar in nature made during an election cycle by an
6 individual or individuals, or by electronic means; and

7 (2) advocates support for, or opposition to,
8 a candidate for public office or ballot measure.

9 B. The campaign committee or political committee
10 that pays for a call referred to in Subsection A of this
11 section shall be disclosed in the call unless the organization
12 that authorized the call and in whose name it is placed has
13 filing obligations pursuant to the Campaign Reporting Act and
14 the name announced in the call is either:

15 (1) the full name by which the organization
16 or individual is identified in any statement or report
17 required to be filed pursuant to the Campaign Reporting Act;
18 or

19 (2) the name by which the organization or
20 individual is commonly known.

21 C. A campaign committee or political committee
22 that pays directly or indirectly for telephone calls as
23 described in Subsection A of this section shall maintain a
24 record of the script of the calls for at least ninety days
25 following election day. If any of the calls qualifying

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1 pursuant to Subsection A of this section are recorded
2 messages, a copy of the recording shall also be maintained for
3 that period.

4 D. A campaign committee or political committee may
5 not contract with a phone bank vendor that does not disclose
6 the information required to be disclosed by Subsection A or B
7 of this section. "

8 Section 2. Section 1-19-26.1 NMSA 1978 (being Laws 1993,
9 Chapter 46, Section 2, as amended) is amended to read:

10 "1-19-26.1. POLITICAL COMMITTEES--REGISTRATION--
11 DISCLOSURES.--

12 A. It is unlawful for any political committee that
13 receives, contributes or expends in excess of [~~two thousand~~
14 ~~dollars (\$2,000)~~] five hundred dollars (\$500) in any calendar
15 year to continue to receive or make any contribution or
16 expenditure for a political purpose unless that political
17 committee appoints and maintains a treasurer and registers
18 with the secretary of state.

19 B. A political committee shall register with the
20 secretary of state within ten days of receiving, contributing
21 or expending in excess of [~~two thousand dollars (\$2,000)~~] five
22 hundred dollars (\$500) by paying a filing fee of fifty dollars
23 (\$50.00) and filing a statement of organization under oath on
24 a prescribed form showing:

25 (1) the full name of the political committee,

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1 which shall fairly and accurately reflect the identity of the
2 committee, including any sponsoring organization, and its
3 address;

4 (2) a statement of the purpose for which the
5 political committee was organized;

6 (3) the name, address and relationship of any
7 connected or associated organization or entity;

8 (4) the names and addresses of the officers
9 of the committee; and

10 (5) an identification of the bank used by the
11 committee for all expenditures or contributions made or
12 received.

13 C. The provisions of this section do not apply to
14 a political committee that is located in another state and is
15 registered with the federal election commission if the
16 political committee reports on federal reporting forms filed
17 with the federal election commission all expenditures for and
18 contributions made to reporting individuals in New Mexico and
19 files with the secretary of state, according to the schedule
20 required for the filing of forms with the federal election
21 commission, a copy of either the full report or the cover
22 sheet and the portions of the federal reporting forms that
23 contain the information on expenditures for and contributions
24 made to reporting individuals in New Mexico. "

25 Section 3. APPROPRIATION. -- Seventy-five thousand dollars

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1 (\$75,000) is appropriated from the general fund to the office
2 of the secretary of state for expenditure in fiscal year 2003
3 to enforce the provisions of the Campaign Reporting Act. Any
4 unexpended or unencumbered balance remaining at the end of
5 fiscal year 2003 shall revert to the general fund.

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