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FISCAL IMPACT REPORT

ORIGINAL DATE 01/24/13

SPONSOR Hamilton LAST UPDATED _____ HB 125

SHORT TITLE Fraudulent Voting Penalties SB _____

ANALYST Jorgensen

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	TBD	\$31.7 - \$317.0	\$31.7 - \$317.0	\$63.4 - \$634.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Administrative Office of the District Attorneys (AODA)

Public Defender Department (PDD)

SUMMARY

Synopsis of Bill

House Bill 125 amends Section 1-20-3 NMSA 1978 addressing voter registration offenses, such as soliciting false registrations and destroying or removing registrations. HB 125 raises these offenses from fourth degree felonies to third degree felonies. HB 125 also amends Section 1-20-8 NMSA 1978 addressing false voting offenses, such as voting under a false name or voting multiple times in the same election. HB 125 raises these offenses from fourth degree felonies to third degree felonies.

FISCAL IMPLICATIONS

The fiscal impact in the above table assumes the incarceration of between one and 10 individuals as a result of the passage of this legislation.

SIGNIFICANT ISSUES

Increasing the penalty from a fourth degree felony to a third degree felony results in an increase in the basic sentence of imprisonment from 18 months to 3 years. The maximum fine that may be imposed remains at \$5,000.

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The AODA and PDD assume a slight increase in defendant demand for trials should this legislation become law.

NCJ/svb