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FISCAL IMPACT REPORT

SPONSOR Garcia Richard ORIGINAL DATE 3/7/17
LAST UPDATED _____ HB 476

SHORT TITLE Documents Acceptable for ID Cards SB _____

ANALYST Romero

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total				NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to: SB

SOURCES OF INFORMATION

LFC Files

Responses Received From

Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of Bill

House Bill 476 amends Section 66-5-401 NMSA 1978 to provide that an application for an identification card not intended to be accepted by federal agencies for federal purposes need not contain the applicant's current New Mexico residence address. New language is also added to that section authorizing alternative proof of identity, of which the applicant must provide two, to be accepted with an application for an identification card not intended to be accepted by federal agencies for official federal purposes. These new documents to be accepted include a driver's license, id card or learner's permit that has not been expired more than one year, a birth certificate, a medical insurance card, several types of identification cards, a baptismal certificate, a social security card, a W2, a pay stub, or numerous other types of documentation, including documents authorized by the secretary of TRD..

FISCAL IMPLICATIONS

None to minimal fiscal impact on the agency. The operating budget will absorb associated costs.

SIGNIFICANT ISSUES

The Taxation and Revenue Department notes:

“An Identification card is fundamentally important in society today as it is utilized to open a bank account or sign a lease or to receive benefits. For this reason, it is extremely important to be able to assure that the identity of a person is properly identified with any form of credential. The documentation that is utilized to prove identification needs to be able to be able to verify the identity of a person. It should not be something that is easily open to fraud. This bill includes an exhaustive list of acceptable documents for demonstrating identity, some of which do not have any internal mechanism for verification or authentication. Specifically allowed in subsection “E” are any two of a list of 37 possible documents, two of which are: page 8, line 8, “an infant baptismal certificate” and lines 23-25 “a medical record less than one year old that is not from a visit to an emergency room or urgent care facility.” Suggest that if these two (page 8, line 8 and lines 23-25) are elected by the applicant, that a third form of proof of identification from the list be required.”

TECHNICAL ISSUES

TRD also notes the following technical concerns:

There is conflicting language in this proposed legislation. On page 4 line, 23 the identification card issued by the consulate of Mexico in Albuquerque, New Mexico, El Paso, Texas, or such other foreign consulate (a.k.a matricula) is identified as a document that alone can be used as an identity document; on page 7, line 24 the matricula is listed again as one of the documents that can be used by an applicant who presents two documents. It is unclear why, if the matricula is already on the list as a document that can be used alone, it would also be on the list that requires another document. It should also be noted that MVD is no longer able to verify the authenticity of a matricula as the Mexican government is no longer assisting with the verification of this document.

Language on page 5, line 20 excludes a credential issued by New Mexico.

It is unclear if language on page 8, lines 19 – 22 is intended to include eligibility documents from other states.

IR/sb/al