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FISCAL IMPACT REPORT

SPONSOR Padilla ORIGINAL DATE 1/19/2017
LAST UPDATED 2/07/2017 HB _____

SHORT TITLE County Sherriff Qualifications, CA SJR 4/aSRC

ANALYST Rogers

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$0.0	\$50.0	\$0.0	\$50.0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB 22.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

SUMMARY

Synopsis of SRC Amendment

The Senate Rules Committee amendment to Senate Joint Resolution 4 removes two numeric references to adding a new Section 12 to Article 10 of the New Mexico Constitution, instead only referencing adding a new (unnumbered) section to Article 10 of the New Mexico Constitution.

Synopsis of Bill

Senate Joint Resolution 4 proposes a constitutional amendment to Article 10 of the New Mexico Constitution, adding a new section 12 to read "no Person shall be appointed or elected sheriff unless the person meets the qualifications provided by law."

FISCAL IMPLICATIONS

Section 1-16-13 NMSA 1978 requires the Secretary of State (SOS) to print the full text of each proposed constitutional amendment, in both Spanish and English, in an amount equal to 10 percent of the registered voters in the state. The SOS is also constitutionally required to publish

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the full text of each proposed constitutional amendment once a week for four weeks preceding the election in newspapers in every county in the state. LFC staff estimate each constitutional amendment may cost up to fifty thousand dollars (\$50,000) in printing and advertising costs based on 2016 actual expenditures.

SIGNIFICANT ISSUES

Currently, state statute does not include any requirements for candidates for sheriff. Creating baseline qualifications will help ensure that candidates for the position have relevant training and experience to help them be effective in the position.

RELATIONSHIP

Relates to Senate Bill 22. According to the AGO, “Section 2 of SB 22 refers to amending Article 7, Section 2 of the state constitution. That constitutional provisions reads: ‘the legislature may provide by law for such qualifications and standards as may be necessary for holding an appointive position by any public officer or employee.’ It would be clearer if SB 22, Section 2 stated that it would become effective upon certification by the SOS that Article 10, Section 12 of the constitution of New Mexico has been adopted as proposed by a joint resolution of the 53 legislature, first session, to provide for qualifications to hold the office of county sheriff.”

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo. The AGO points out that any person, without regard qualification, may serve as a county sheriff upon election, posting of bond and taking oath of office.

TR/jle/sb/jle