

1 HOUSE BILL 269

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO ELECTIONS; REQUIRING THE STATE AUDITOR TO PERFORM
12 FINANCIAL REVIEWS OF THE CAMPAIGN REPORTS OF PUBLICLY FINANCED
13 CANDIDATES; AMENDING AND ENACTING SECTIONS OF THE VOTER ACTION
14 ACT AND THE AUDIT ACT.

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

17 SECTION 1. Section 1-19A-1 NMSA 1978 (being Laws 2003,
18 Chapter 14, Section 1) is amended to read:

19 "1-19A-1. SHORT TITLE.--~~[Sections 1 through 17 of this~~
20 ~~act]~~ Chapter 1, Article 19A NMSA 1978 may be cited as the
21 "Voter Action Act"."

22 SECTION 2. A new section of the Voter Action Act is
23 enacted to read:

24 "[NEW MATERIAL] STATE AUDITOR--FINANCIAL REVIEW.--

25 A. Following the certification of a primary or

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underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 general election, the secretary shall provide the campaign
2 reports for publicly financed candidates to the state auditor
3 in electronic format.

4 B. The state auditor, or the state auditor's
5 designee, shall conduct a financial review of the campaign
6 reports, to the extent deemed necessary by the state auditor,
7 for compliance with the secretary's rules and the Voter Action
8 Act.

9 C. The state auditor may compel the production of
10 documentation relevant to the expenditure of public funds by a
11 certified candidate.

12 D. Upon completion of financial review, the state
13 auditor shall issue a report of findings to the secretary, the
14 attorney general and the legislative finance committee.

15 E. The costs of the state auditor's financial
16 review shall be paid from the fund."

17 SECTION 3. Section 12-6-1 NMSA 1978 (being Laws 1969,
18 Chapter 68, Section 1) is amended to read:

19 "12-6-1. SHORT TITLE.--~~[Sections 4-31-1 through 4-31-17~~
20 ~~NMSA 1953]~~ Chapter 12, Article 6 NMSA 1978 may be cited as the
21 "Audit Act"."

22 SECTION 4. A new section of the Audit Act is enacted to
23 read:

24 "[NEW MATERIAL] FINANCIAL REVIEW--PUBLICLY FINANCED HOME
25 RULE MUNICIPALITY CANDIDATES.--

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underscoring material = new
~~[bracketed material] = delete~~

1 A. Following the certification of a municipal
2 election, the clerk or other official in charge of campaign
3 reporting of a home rule municipality or a municipality
4 incorporated under special act shall provide to the state
5 auditor, in electronic format, the campaign reports of publicly
6 financed candidates that include the contributions received and
7 the expenditures made by the candidates.

8 B. The state auditor, or the state auditor's
9 designee, shall conduct a financial review of the campaign
10 reports, to the extent deemed necessary by the state auditor,
11 for compliance with the municipality's rules or ordinances on
12 publicly financed candidates.

13 C. The state auditor may compel the production of
14 documentation relevant to the expenditure of public funds by a
15 candidate.

16 D. Upon completion of the financial review, the
17 state auditor shall issue a report of findings to the governing
18 body of the municipality and the attorney general.

19 E. The cost of the state auditor's financial review
20 shall be borne by the municipality."

