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## FISCAL IMPACT REPORT

**SPONSOR** HSEIC **ORIGINAL DATE** 03/12/21  
**LAST UPDATED** 03/16/21 **HB** 290/HSEICS/ec  
**SHORT TITLE** Voter Roll Cleanup Task Force **SB** \_\_\_\_\_  
**ANALYST** Nichols

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	\$1.0 - \$2.0	\$3.0 - \$6.0		\$4.0 - \$8.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Secretary of State (SOS)

### SUMMARY

#### Synopsis of Bill

The House State Government, Elections and Indian Affairs Committee substitute for House Bill 290 creates a “voter education and elections task force” to study and provide recommendations on best practices to educate New Mexico voters.

The Secretary of State (SOS) and the Legislative Council Service (SOS) would be charged with providing administrative support for the task force. Task force members would include:

- Three members of the House of Representatives appointed by the Speaker of the House;
- Three members of the Senate appointed by the Senate Committees’ Committee or the president pro tem;
- The Secretary of State or a designee;
- The secretary of the Taxation and Revenue Department or a designee;
- Four public members, two appointed by the Speaker or the House and two appointed by the president pro tem of the Senate; and
- Four county clerks, with two each from the two major political parties, appointed by the county clerks affiliate of the New Mexico Association of Counties.

In addition, one representative each from the state registrar, the state assessor, and the Administrative Office of the Courts (AOC) will serve in an advisory role, and the task force

would also invite a representative of the U.S. Postal Service in New Mexico to participate in an advisory role.

Public members would receive a per diem and mileage in accordance with the Per Diem and Mileage Act.

The task force would function from the date of its appointment until December 31, 2021, and would meet one or two times per month, with the first meeting held by May 1, 2021. The task force would be charged with developing policy recommendations and proposed legislation to educate voters on electoral procedures, voter registration, and election safeguards, and would consider improvements to the Election Code to make the electoral process more efficient and accessible while maintaining election integrity. The task force would present its findings for consideration by the governor and the Legislature.

This bill has an emergency clause and would take effect immediately upon signature by the governor.

### **FISCAL IMPLICATIONS**

The four public members of the task force would receive mileage and per diem reimbursement. Assuming one or two meetings per months for eight months, and an assumption of \$125 per member per meeting for mileage and per diem, costs are estimated at \$4,000 to \$8,000. It appears that LCS and/or SOS would be responsible for covering these costs.

It is not clear how much administrative support SOS and LCS would have to provide and at what cost, but there could be additional costs for staff, or costs related to meetings and publishing of task force materials that the agencies would have to absorb. It is likely that these costs would be modest.

### **SIGNIFICANT ISSUES**

HB290/HSEICS directs the taskforce to develop policy recommendations to educate voters and to consider improvements to the Election Code to make electoral processes more efficient and accessible to all voters. It specifically outlines that the taskforce shall consider how to educate voters on keeping registration information up to date; review the accessibility of existing public facing voting systems such as the online registration system, tabulators, and websites, study voting best practices and modernizations such as automatic voter registration, same day registration, geo-enabling voter rolls, residency requirements, and election security; and study best practices for maintaining accurate voter rolls.

The original HB290 was focused on voter roll cleanup. The substitute would assign the task force broader responsibilities. However, the task force would still examine the effectiveness of state efforts to clean up voter rolls. SOS notes New Mexico is one of 30 states that uses the Electronic Registration Information Center or “ERIC” (<https://ericstates.org/>), which has resulted in significant voter roll clean-up by providing a secure mechanism to compare voter rolls with Motor Vehicle Division data from all participating states, as well as with death records form the Social Security Administration. SOS also receives regular electronic data from the Administrative Office of the Courts and Department of Health for voter roll maintenance efforts. New Mexico also has a state law that conforms with federal law in regards to list

maintenance efforts associated with changes of address. The law allows for a county-appointed board of registration to recommend removal of voters who have been flagged by the county due to the return of certain mail, failure to participated in two consecutive general elections, and not otherwise updating or confirming their address.

**ADMINISTRATIVE IMPLICATIONS**

HB290/HSEICS may impose a modest administrative burden on participating agencies related to preparation for task force meetings, meeting time, and development of task force reports. Requiring SOS and LCS to provide administrative support, including staff, could impose an additional administrative burden on those agencies.

AN/sb/al