

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov).

FISCAL IMPACT REPORT

ORIGINAL DATE 2/12/21

SPONSOR Pirtle LAST UPDATED _____ HB _____

SHORT TITLE Constitutional Amendment Passage, CA SB SJR14

ANALYST Hanika-Ortiz

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		\$150.0- \$200.0				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Attorney General (NMAG)

SUMMARY

Synopsis of Bill

Senate Joint Resolution 14 (SJR14) would refer to voters a proposed amendment to Article 19, Section 1, of the New Mexico Constitution that removes the requirement for a “majority vote” of all members from each of the two houses of the Legislature to place a proposed constitutional amendment on the ballot and replaces it with a requirement for a vote of “two-thirds” of all members of each of the two houses.

If passed, SJR14 would be submitted to the voters of New Mexico for their approval or rejection at the next general election, or at any special election that may be called for this purpose.

FISCAL IMPLICATIONS

Under Section 1-16-4 NMSA 1978 and the New Mexico constitution, the Secretary of State (SoS) is required to print samples of the text of each constitutional amendment, in Spanish and English, in an amount equal to ten percent of the registered voters in the state. The SoS is also required to publish them once a week for four weeks preceding the election in newspapers in every county in the state. The estimated cost per constitutional amendment is \$150 thousand-\$200 thousand depending on the size and number of ballots and if additional ballot stations are needed.

SIGNIFICANT ISSUES

By increasing the number of votes needed to pass a resolution proposing a constitutional amendment, SJR14 would make it more difficult to place proposed constitutional amendments on the ballot for consideration by voters.

A National Conference of State Legislatures policy brief noted states that require super majorities do so because of the belief that constitutions should not be amended without careful deliberation.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

On the date of drafting this FIR, there were nine House joint resolutions and 17 Senate joint resolutions seeking to refer to voters a proposed amendment to the New Mexico Constitution.

AHO/al/rl