

LFC Requester:

Emily Hilla

### AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

#### SECTION I: GENERAL INFORMATION

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Date Prepared: 1/30/25

Check all that apply:

Bill Number: HJR 10

Original  Correction   
Amendment  Substitute

Sponsor: Rep. Patricia Roybal  
Caballero

Agency Name and Code Number: 305 – New Mexico  
Department of Justice

Short Title: Allow Voting with Felony  
Conviction, CA

Person Writing Analysis: ASG Serena Wheaton

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#### SECTION II: FISCAL IMPACT

##### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

##### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

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

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

*This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.*

**BILL SUMMARY**

Synopsis: HJR 10 is a proposed N.M. Constitutional Amendment to remove the current voting restriction found under art. VII, Section 1 of the N.M. Constitution, which states that convicted felons are not allowed to vote. If passed and adopted, this amendment would allow convicted felons a constitutional right to vote. The remainder of HJR 10 tracks the current language of the N.M. Constitution.

**FISCAL IMPLICATIONS**

N/A

**SIGNIFICANT ISSUES**

HJR 10 may conflict with NMSA 1978, Section 1-4-27.1(A) (2023) which states that a “voter is ineligible to vote while imprisoned in a correctional facility as part of a sentence for a felony conviction.” The two would possibly conflict where someone is a convicted felon and still serving time in prison. HJR 10 if passed and adopted would give convicted felons a constitutional right to vote, but Section 1-4-27.1(A) would abridge that constitutional right in its current form. By comparison, those convicted for a misdemeanor, and serving time in prison, are able to vote. *See* NMSA 1978, Section 1-20-18 (2001).

There would be no conflict where a convicted felon was no longer serving time in a correctional facility.

**PERFORMANCE IMPLICATIONS**

N/A

**ADMINISTRATIVE IMPLICATIONS**

N/A

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

N/A

**TECHNICAL ISSUES**

N/A

**OTHER SUBSTANTIVE ISSUES**

N/A

**ALTERNATIVES**

N/A

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

**AMENDMENTS**

N/A