

LFC Requester:

Liu, Sunny

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

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

Date Prepared: 2/15/2025

Check all that apply:

Bill Number: SJR 11

Original Correction

Amendment Substitute

Sponsor: Linda M. Trujillo
Gail Armstrong
David M. Gallegos
SCHOOL ELECTIONS

**Agency Name
and Code
Number:**

Secretary of State - 370

**Short
Title:** TIMING, CA

**Person Writing
Analysis:**

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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
Total						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SJR 11 proposes a constitutional amendment question be included in the next general election or any special election prior to that date that will be called for such purpose. The question asks voters to approve or reject an amendment to Article 7, Section 1 of the Constitution of New Mexico to permit school elections to be held at the same time as partisan elections.

FISCAL IMPLICATIONS

If the bill passes, the constitutional amendment might be decided by the voters in the next general election which is in FY27. It might also be decided by a special election prior to that time or other statewide election. In either case, for the purposes of determining the costs involved, the Secretary of State's Office (SOS) wishes to inform legislators that, pursuant to NMSA 1978, Section 1-16-4, and Article 19 Section 1 of the New Mexico Constitution, the SOS is required to publish the ballot question for each proposed constitutional amendment, in both Spanish and English.

The SOS is constitutionally required to publish the ballot question of each proposed constitutional amendment once a week for four consecutive weeks preceding the election in one newspaper in every county in the state. The cost will vary on the length of the ballot question. In 2024, the SOS published four ballot questions for proposed constitutional amendments at a cost of approximately \$140,950.

The SOS also produces a general election voter guide that includes information about proposed constitutional amendments and provides it to voters at polling locations. The cost of producing the voter guide will change depending upon the number and length of the constitutional amendments passed and the number of registered voters. However, as a reference, the 2024 voter guide cost approximately \$52,000 from GSD State Printing.

The number of constitutional amendments that pass may also impact the page size of the ballot, or if the ballot size is caused to become greater than one page, front and back, which will increase the cost of producing the ballots for the general election. In addition to the cost of the ballot, there may be time added to the voting process, which would require additional ballot printing systems to ensure a smooth and efficient voting process within the bounds of national best practices.

SIGNIFICANT ISSUES

If SJR 11 passes and is approved by voters, school districts, which are local governments defined by 1-22-1 NMSA 1978, would still be required to elect their officers in the Regular Local Election in odd-numbered years. However, the proposed constitutional change would allow these districts to put forth ballot questions to voters during a general election.

The history of the limiting language in Article 7, Section 1 begins during the state’s Constitutional Convention in 1910. Although organizing for women’s suffrage also began in New Mexico around that time, women were originally only granted the right to vote in school elections. New Mexico approved the 19th amendment to the national constitution in 1920, granting women the right to vote in all elections, but the limitation on school district ballot questions in Article 7, Section 1 of New Mexico Constitution remained.

When school districts are unable to place ballot questions on a general election ballot, they often are forced to hold special elections to meet other statutory timelines related to bonds, etc. In 2024, there were six special elections for school districts, and as of January 2025, there are currently five special elections for school districts. These are all-mail elections paid for by the district and administered pursuant to the Special Election Act.

If SJR 11 passes and is approved by voters, it would bring school districts into alignment with all other local governments, which already have the ability to place ballot questions on statewide election ballots pursuant to 1-10-8, 1-16-3, and 1-16-9 NMSA 1978.

PERFORMANCE IMPLICATIONS

Voter participation in these ballot question contests will likely increase with inclusion on a general election ballot.

ADMINISTRATIVE IMPLICATIONS

County clerks are currently required to administer special elections. The passage of SJR 11 and approval of the question by the voters, would help free up critical resources between the administration of statewide elections for these offices, which is when many are conducting critical statewide election planning, training and preparation.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

School districts will still be unable to have ballot questions on general election ballots.

AMENDMENTS