

CHAPTER 89

CHAPTER 89, LAWS 2002

AN ACT

RELATING TO ELECTIONS; AMENDING THE CAMPAIGN REPORTING ACT;
REQUIRING DISCLOSURE OF SPONSOR IN CERTAIN TELEPHONE
COMMUNICATIONS PAID FOR BY POLITICAL OR CAMPAIGN COMMITTEES;
CHANGING THE REPORTING THRESHOLD FOR POLITICAL COMMITTEES.

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

Section 1. A new section of the Campaign Reporting Act
is enacted to read:

"CAMPAIGN COMMITTEE AND POLITICAL COMMITTEE
EXPENDITURES--DISCLOSURE--TELEPHONE CALLS--RECORDS.--

A. A campaign committee or political committee
that is required to register pursuant to the Campaign
Reporting Act shall not expend campaign or political
committee funds to directly or indirectly pay for a
telephone call without disclosing to the recipient the name
of the organization that authorized or paid for the call if
the call:

(1) is one of five hundred or more calls
that are similar in nature made during an election cycle by
an individual or individuals, or by electronic means; and

(2) advocates support for, or opposition to,
a candidate for public office or ballot measure.

B. The campaign committee or political committee
that pays for a call referred to in Subsection A of this
section shall be disclosed in the call unless the
organization that authorized the call and in whose name it
is placed has filing obligations pursuant to the Campaign
Reporting Act and the name announced in the call is either:

(1) the full name by which the organization
or individual is identified in any statement or report
required to be filed pursuant to the Campaign Reporting Act;
or

(2) the name by which the organization or
individual is commonly known.

C. A campaign committee or political committee
that pays directly or indirectly for telephone calls as
described in Subsection A of this section shall maintain a
record of the script of the calls for at least ninety days
following election day. If any of the calls qualifying
pursuant to Subsection A of this section are recorded

messages, a copy of the recording shall also be maintained for that period.

D. A campaign committee or political committee may not contract with a phone bank vendor that does not disclose the information required to be disclosed by Subsection A or B of this section."

Section 2. Section 1-19-26.1 NMSA 1978 (being Laws 1993, Chapter 46, Section 2, as amended) is amended to read:

"1-19-26.1. POLITICAL COMMITTEES--REGISTRATION--DISCLOSURES.--

A. It is unlawful for any political committee that receives, contributes or expends in excess of five hundred dollars (\$500) in any calendar year to continue to receive or make any contribution or expenditure for a political purpose unless that political committee appoints and maintains a treasurer and registers with the secretary of state.

B. A political committee shall register with the secretary of state within ten days of receiving, contributing or expending in excess of five hundred dollars (\$500) by paying a filing fee of fifty dollars (\$50.00) and filing a statement of organization under oath on a prescribed form showing:

(1) the full name of the political committee, which shall fairly and accurately reflect the identity of the committee, including any sponsoring organization, and its address;

(2) a statement of the purpose for which the political committee was organized;

(3) the name, address and relationship of any connected or associated organization or entity;

(4) the names and addresses of the officers of the committee; and

(5) an identification of the bank used by the committee for all expenditures or contributions made or received.

C. The provisions of this section do not apply to a political committee that is located in another state and is registered with the federal election commission if the political committee reports on federal reporting forms filed with the federal election commission all expenditures for and contributions made to reporting individuals in New Mexico and files with the secretary of state, according to

the schedule required for the filing of forms with the federal election commission, a copy of either the full report or the cover sheet and the portions of the federal reporting forms that contain the information on expenditures for and contributions made to reporting individuals in New Mexico."

HOUSE BILL 268, AS AMENDED