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FISCAL IMPACT REPORT

SPONSOR Picraux DATE TYPED 2/26/05 HB 735

SHORT TITLE Absentee Ballot acceptance & Counting SB _____

ANALYST Wilson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

Relates to HB 266

SOURCES OF INFORMATION

LFC Files

Responses Received From
Secretary of State (SOS)

SUMMARY

Synopsis of Bill

House Bill 735 amends Section 1-6-10 NMSA 1978 relating to the receipt of absentee ballots by county clerks. The bill requires county clerks to accept completed official mailing envelopes until 5:00 p.m. on the seventh day following election day, provided the envelope is postmarked on or before election day. Official mailing envelopes postmarked after election day, or any envelope received after 5:00 p.m. on the seventh day following election day shall not be delivered to a precinct board.

Any official mailing envelopes received after election day, but before the seventh day cutoff for acceptance, shall be delivered to the county canvassing board to be opened, counted and tallied before the board certifies the county canvass. The county canvassing board shall not certify the results of the election until it has counted the late absentee ballots.

Significant Issues

The SOS notes under current law, canvassing begins three after an election and absentee ballots are accepted until the time the polls close. This bill will delay certification of the county and possibly the statewide canvass.

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On the other hand, this bill will allow individuals who mail in a ballot on or before election day to have one's ballot counted even if the mail is slow.

FISCAL IMPLICATIONS

The SOS anticipates no fiscal impact from the changes in this bill.

RELATIONSHIP

HB 266 also amends Section 1-6-10 NMSA 1978.

TECHNICAL ISSUES

On page 2, line 23, the term canvass should be canvassing.

DW/lg