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SENATE BILL 196

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Dede Feldman

AN ACT

RELATING TO CAMPAIGN PRACTICES; PROHIBITING PERSONS DOING
BUSINESS WITH THE STATE FROM MAKING CONTRIBUTIONS TO CERTAIN
ELECTED OFFICIALS OR THEIR CAMPAIGNS; PROHIBITING THE
SOLICITATION OR ACCEPTANCE OF CONTRIBUTIONS FROM CERTAIN
PERSONS; PROVIDING FOR PENALTIES.

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

Section 1. A new section of the Election Code is enacted
to read:

"[NEW MATERIAL] PROHIBITED CONTRIBUTIONS--PROHIBITED
SOLICITATIONS.--

A. It is unlawful for the state auditor, state
treasurer, secretary of state, commissioner of public lands or
attorney general or a candidate who seeks election to one of
those positions or anyone authorized by the candidate to

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1 solicit funds on the candidate's behalf to knowingly solicit or
2 accept anything of value from a person or that person's agent
3 or employee doing business with the office of that state
4 official.

5 B. It is unlawful for a person doing business with
6 the state or the person's agent or employee to knowingly give
7 anything of value to the state auditor, state treasurer,
8 secretary of state, commissioner of public lands or attorney
9 general or a candidate who seeks election to one of those
10 positions or anyone authorized by the candidate to solicit
11 funds on the candidate's behalf if the person is doing business
12 with the office of that state official.

13 C. A person who has contributed anything of value
14 to, has solicited any person or political action committee to
15 make a contribution to or has coordinated any contribution to a
16 candidate for an office listed in Subsection A of this section
17 shall not do business with that office for two years following
18 election of that candidate.

19 D. A person who violates a provision of this
20 section is guilty of a misdemeanor and shall be punished by a
21 fine of not more than one thousand dollars (\$1,000) or by
22 imprisonment for not more than one year or both.

23 E. For the purposes of this section:

24 (1) "anything of value" does not include
25 refreshments at a public reception or other public social

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1 function that are available to all guests equally or things of
2 value that the person is otherwise legally entitled to; and

3 (2) "person doing business with the state"
4 means an individual or other entity that contracts with the
5 state to:

6 (a) sell goods or services to a state
7 agency;

8 (b) purchase or lease property or any
9 interest in property from the state; or

10 (c) sell or lease property or any
11 interest in property to the state."

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