

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 363

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO ELECTIONS; REMOVING PROVISIONS REQUIRING ELECTRONIC  
FILING OF CAMPAIGN REPORTS; DECLARING AN EMERGENCY.

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

Section 1. Section 1-19-29 NMSA 1978 (being Laws 1993,  
Chapter 46, Section 5, as amended) is amended to read:

"1-19-29. TIME AND PLACE OF FILING REPORTS.--

A. Annually, all reporting individuals shall file  
with the proper filing officer by 5:00 p.m. on the second  
Monday in May a report of all expenditures made and  
contributions received on or before the first Monday in May and  
not previously reported. The report shall be filed annually  
until the reporting individual's bank account has been closed  
and the other provisions specified in Subsection E of this  
section have been satisfied.

.163190.1

underscored material = new  
[bracketed material] = delete

underscoring material = new  
[bracketed material] = delete

1           B. In an election year, in addition to the May  
2 report provided for in Subsection A of this section, all  
3 reporting individuals, except for persons who file a statement  
4 of exception pursuant to Section 1-19-33 NMSA 1978 and except  
5 for public officials who are not candidates in an election that  
6 year, shall file reports of all expenditures made and  
7 contributions received according to the following schedule:

8                   (1) by 5:00 p.m. on the second Monday in  
9 October, a report of all expenditures made and contributions  
10 received on or before the first Monday in October and not  
11 previously reported;

12                   (2) by 5:00 p.m. on the Thursday before a  
13 primary, general or statewide special election, a report of all  
14 expenditures made and contributions received by 5:00 p.m. on  
15 the Tuesday before the election. Any contribution or pledge to  
16 contribute that is received after 5:00 p.m. on the Tuesday  
17 before the election and that is for five hundred dollars (\$500)  
18 or more in a legislative or non-statewide judicial election, or  
19 two thousand five hundred dollars (\$2,500) or more in a  
20 statewide election, shall be reported to the proper filing  
21 officer either in a supplemental report on a prescribed form  
22 within twenty-four hours of receipt or in the report to be  
23 filed by 5:00 p.m. on the Thursday before a primary, general or  
24 statewide special election, except that any such contribution  
25 or pledge to contribute that is received after 5:00 p.m. on the

.163190.1

1 Friday before the election may be reported by 12:00 noon on the  
2 Monday before the election; and

3 (3) by 5:00 p.m. on the thirtieth day after a  
4 primary, general or statewide special election, a report of all  
5 expenditures made and contributions received on or before the  
6 twenty-fifth day after the election and not previously  
7 reported.

8 C. Notwithstanding the other provisions of this  
9 section, the report due on the thirtieth day after an election  
10 need be the only report filed after the annual May report if  
11 the candidate is not opposed in the election and if the report  
12 includes all expenditures made and contributions received for  
13 that election and not previously reported.

14 D. A report of expenditures and contributions filed  
15 after a deadline set forth in this section shall not be deemed  
16 to have been timely filed.

17 E. Each reporting individual shall file a report of  
18 expenditures and contributions annually pursuant to the filing  
19 schedule set forth in this section, regardless of whether any  
20 expenditures were made or contributions were received during  
21 the reporting period. Reports shall be required until the  
22 reporting individual delivers a report to the proper filing  
23 officer stating that:

- 24 (1) there are no outstanding campaign debts;  
25 (2) all money has been expended in accordance

underscored material = new  
[bracketed material] = delete

1 with the provisions of Section 1-19-29.1 NMSA 1978; and

2 (3) the bank account has been closed.

3 F. Each treasurer of a political committee shall  
4 file a report of expenditures and contributions annually  
5 pursuant to the filing schedule set forth in this section until  
6 the treasurer files a report that affirms that the committee  
7 has dissolved or no longer exists and that its bank account has  
8 been closed.

9 G. A reporting individual who is a candidate within  
10 the meaning of the Campaign Reporting Act because of the amount  
11 of contributions [~~he~~] the candidate receives or expenditures  
12 [~~he~~] the candidate makes and who does not ultimately file a  
13 declaration of candidacy or a nominating petition with the  
14 proper filing officer shall nevertheless file a report, not  
15 later than the second Monday in May for a primary election or  
16 the second Monday in October for a general election, of all  
17 contributions received and expenditures made on or before the  
18 first Monday in May for a primary election or the first Monday  
19 in October for a general election and not previously reported.

20 H. Reports required by this section [~~shall~~] may be  
21 filed electronically or by facsimile by all reporting  
22 individuals.

23 ~~[I. Reporting individuals may apply to the~~  
24 ~~secretary of state for exemption from electronic filing in case~~  
25 ~~of hardship, which shall be defined by the secretary of state.]~~

.163190.1

1                   I. The secretary of state shall convert campaign  
2                   reports that are filed on paper into the electronic format used  
3                   by the secretary of state's on-line searchable campaign report  
4                   database."

5                   Section 2. EMERGENCY.--It is necessary for the public  
6                   peace, health and safety that this act take effect immediately.

7   - 5 -

underscored material = new  
[bracketed material] = delete

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25