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FISCAL IMPACT REPORT

ORIGINAL DATE 2/14/07

SPONSOR Campos, J LAST UPDATED _____ HB 758

SHORT TITLE Absentee Ballots as Backups SB _____

ANALYST Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates HB 758 Relates to SB179

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Secretary of State

SUMMARY

Synopsis of Bill

House Bill 758 would amend NMSA Section 1-6-10 of the Election Code to allow the use of unused absentee ballots by precinct boards requiring more ballots on election day. The bill would require the Secretary of State to promulgate rules to ensure that all absentee ballots used as backup ballots are accounted for and that all unused absentee ballots are destroyed at the close of the polls on election day.

SIGNIFICANT ISSUES

According to the Attorney General's Office, current law requires destruction of all unused absentee ballots at 5:00 p.m. on the Monday preceding an election. This bill appears intended to address situations where certain precincts receive an insufficient number of ballots on election day.

OTHER SUBSTANTIVE ISSUES

According to the Secretary of State, under current law unused absentee and early ballots must be destroyed no later than 5:00 pm the day before election day. However, under the paper ballot system all ballots are identical in form, permitting unused ballots to be used on election day.

ALTERNATIVES

This bill notes the Secretary of State, will ensure sufficient ballots for all voters who appear in person on election day.

EO/mt