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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/14/07

SPONSOR Duran LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Emergency Voting Requirements SB 508

ANALYST Ortiz

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Attorney General's Office (AGO)

No Responses Received From  
Secretary of State (SOS)

### SUMMARY

#### Synopsis of Bill

Senate Bill 508 would enact a new section of the Election Code providing for the issuance of an alternative ballot "on the Monday before an election" by the county clerk to a person who is unable to "go to the polls" on election day because of an "unforeseen" death in the family. The person must request the ballot in person on that Monday and must submit a statement "under penalty of perjury" that they are unable to vote on election day because of such a death.

### SIGNIFICANT ISSUES

The issuance of a ballot on the Monday immediately preceding the day of the election is not unprecedented in the Election Code. For example, NMSA 1978, Section 1-6-16 permits voters who requested an absentee ballot but never received it to go the county clerk on the Monday immediately preceding the day of the election to receive a ballot.

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This bill appears to cover a small segment of the voters. The bill appears to require that the death of a family member must be the immediate cause of a voter's inability to go to the polls on election day.

The bill only applies to “unforeseen” deaths.

It does not define “family”.

The Secretary of State's office is trying to move away from the lexicon of “alternative” ballot and “emergency” ballot. A ballot is a ballot. It is just that a ballot is routed differently dependent on when it is voted (i.e. early, absentee by mail, election day, provisional). The term “alternative” should be deleted.

EO/csd