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FISCAL IMPACT REPORT

ORIGINAL DATE 1/29/08

SPONSOR Carraro LAST UPDATED _____ HB _____

SHORT TITLE Abolish Preprimary Convention Designation SB 321

ANALYST Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Secretary of State (SOS)

SUMMARY

Synopsis of Bill

Senate Bill 321 amends various sections of the Election Code (Article 1, Chapter 1 NMSA 1978) relating to nomination of candidates for primary elections to eliminate references to the preprimary designation of candidates for any statewide office or for the office of United States Representative.

The bill also repeals provisions in NMSA Section 1-8-43 (1978) requiring the placement of the names of those candidates on the primary election ballot based upon the number of votes received at the state preprimary convention, and effectively changes that provision to require placement on the ballot of the names of all candidates "by lot".

SIGNIFICANT ISSUES

According to the Attorney General's Office, current state law requires that a candidate for statewide office, or for the office of United States Representative, receive designation and certification by a political party at the party's statewide convention or declare their candidacy if they fail to receive preprimary designation or as an independent candidate in order to be placed on the primary election ballot. See NMSA Section 1-8-26 (1978). State law contains provisions

setting forth the required number of nominating petitions which must be submitted to the Secretary of State in order to be placed on the primary election ballot through those various methods. See NMSA Section 1-8-33 (1978).

The bill would also require that the primary election ballot order for *all* qualified candidates (including those filing declarations of candidacy and submitting the proper number of valid petitions) be determined “by lot” (random selection by chance) eliminating the priority for ballot name placement given to those designated by preprimary convention.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The law, as explained by the AGO, will continue to provide for candidates for certain offices chosen by preprimary state conventions, and will continue to provide that those candidates have priority with regard to placement of their names on the primary election ballot.

EO/bb