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FISCAL IMPACT REPORT

ORIGINAL DATE 2-8-09

SPONSOR Hamilton LAST UPDATED _____ HB 591

SHORT TITLE Voter Identification Requirements SB _____

ANALYST Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		Unknown	Unknown	Unknown	Recurring	General Fund

(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)
Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of Bill

House Bill 591 restricts the identification required for voter registration and voting, eliminating the current allowance of bills, bank statements, government checks/identification and Indian Nation identification. The bill provides that Motor Vehicle Division (MVD) will create a photo identification free of charge for individuals without driver's license so long as the individual presents any of the following: social security card, state public assistance card or a utility bill with the individuals name and address. It also amends the required identification necessary for a person voting at an alternate voting site, the county clerk's office or at a polling place on election

day or registering to vote with a registration agent, to provide one of the following current valid documents containing the person's photo: 1) NM driver's license; 2) NM photo ID issued by MVD, 3) US passport; 4) debit or credit card; 5) public assistance card; or 6) military ID.

The bill requires an identification number for mail in ballots and restricts the counting of provisional ballots to those with the required ID or those for which the voter brings the identification documents to the clerk's office within three days of closing of the polls.

FISCAL IMPLICATIONS

Although the Department of Taxation and Revenue did not respond, it is likely there will be costs to the agency as it expected to provide, free of charge, photo ID cards.

SIGNIFICANT ISSUES

According to the Attorney General's Office, voters in less than favorable economic circumstances sometimes move frequently, may not be able to afford the driver's license and may have difficulty taking time from the work week to apply for photo ID at usually crowded MVD offices. A birth certificate, state public assistance card, social security card or utility bill is required to obtain the MVD ID card. Those who are not the head of household with a name on the utility bill will not be aided by this additional category. Individuals who desire to vote may or may not have maintained a social security card or copy of their birth certificates. Obtaining a duplicate social security card or birth certificate is time consuming and often involves a fee. Those on public assistance may have an ID card, but a large portion of the population under the poverty line who do not receive public assistance are less likely to be able to afford the other limited forms of ID or the time away from work or childcare to obtain them. The use of a debit or credit card limits voting to those whose economic circumstances afford them the ability to have assets or a bank account, excluding those who don't. The bill restricts the use of provisional ballots. The bill is likely to limit registration and voting to individuals with favorable economic circumstances thus disenfranchising voters.

CONFLICT

This bill conflicts with HB52 and HB395.

House Bill 52 restricts the acceptable proof of identification to documents with an address that matches the registration address.

House Bill 395 changes the registration statute to allow for registration by qualified electors on Election Day. Qualified voters who register to vote on Election Day in the county, in which they reside, may have their registration accepted. The bill restricts proof of identification to documents with an address that is within the precinct where the elector is offering to vote. The bill also allows individuals who register on Election Day, who lack the requisite proof of residence or who are at a precinct where they do not reside, to cast a provisional ballot.