

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

**SPONSOR** Boitano **ORIGINAL DATE** 2-2-09  
**LAST UPDATED** \_\_\_\_\_ **HB** \_\_\_\_\_  
**SHORT TITLE** Use of Public Funds for Certain Elections **SB** 334  
**ANALYST** Ortiz

### APPROPRIATION (dollars in thousands)

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

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Administration (DFA)

Secretary of State (SOS)

### SUMMARY

#### Synopsis of Bill

Senate Bill 334 prevents state agencies and political subdivisions of the state from using public funds to advertise in favor of or opposition to a ballot measure.

### SIGNIFICANT ISSUES

This bill prevents tax dollars from being misused to bias voters on ballot measures. It touches on the separation between the roll of the legislature, or policy-making body of government, and the executive, or other non law-making entities thus, leaving the decision of ballot measure up to the voters.

### TECHNICAL ISSUES

The bill does not include penalties if it is violated.

**OTHER SUBSTANTIVE ISSUES**

This bill may allow voters more objectivity if an agency's financial power to advertise is eliminated. It also allows free voters from having their tax dollars used to influence them. It does require voters to seek out information on a ballot measure to help them decide how they should vote

EO/svb