

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

ORIGINAL DATE 02/23/09
 SPONSOR Lopez LAST UPDATED 03/15/09 HB _____
 SHORT TITLE Freeze Precinct Boundaries For Redistricting SB 583/aSfI#1
 ANALYST Wilson

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

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

(Parenthesis () Indicate Expenditure Decreases)

Relates to SJR 15

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)
 County Clerks Affiliate
 Secretary of State (SOS)

SUMMARY

Synopsis of SFI Amendment #1

The Senate Floor amendment #1 to SB 583 changes the starting date that boards of county commissioners may not create new precincts, combine precincts and alter their boundaries from June 1, 2009 to July 1, 2009.

Synopsis of Original Bill

Senate Bill 583 provides that all precinct boundaries will be frozen until January 31, 2012 except for those needing adjustment to comply with the Precinct Boundary Adjustment Act. It also updates reference to the census year and allows for redistricting adjustments to coincide with federal, state, county, municipal and school district boundaries.

The bill also excises the language that provided that two or more precincts could be consolidated without consolidating existing polling places. It provides that the counties may send maps with written description of adjusted precinct boundaries to the SOS via electronic copies.

The bill amends the law to state that a local public body can split a single precinct into two or more districts for any elected office if such change is necessary to comply with federal law or to preserve communities of interest.

The bill has an emergency clause.

SIGNIFICANT ISSUES

SB 583 is the decennial bill required to comply with federal law in preparation for the 2010 census. Under federal law, all precinct boundaries shall be frozen until the conclusion of the census, at which time they may be adjusted pursuant to the Precinct Boundary Adjustment Act.

The AGO notes the bill does not define communities of interest and this reference may be so vague that it fails to provide guidance and could become the subject of litigation.

The New Mexico County Clerks Affiliate states the following:

This is legislation that prepares the state of New Mexico for the redistricting after the census. This bill is an improvement in that it adds recognition of federal, state, county, municipal and school district boundaries which can now be used for precinct boundaries. That will make it possible to end the practice of split precincts, often in school districts, which results in less voter confusion and less chance of administrative error.

FISCAL IMPLICATIONS

The SOS noted they are required to provide standard base maps to the boards of county commissioners and the cost of materials to issue maps is not included in Section 1-3-12 B.

ADMINISTRATIVE IMPLICATIONS

The affected agencies should be able to handle the enforcement of the provisions in this bill as part of ongoing responsibilities.

RELATIONSHIP

SJR 15 proposes amendments to articles 4 and 20 of the Constitution of New Mexico to establish a bipartisan redistricting commission to determine congressional and state legislative district boundaries following each federal decennial census or as otherwise required.

DW/mt