

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 (www.nmlegis.gov). 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

02/11/13
ORIGINAL DATE 02/26/13

SPONSOR Smith **LAST UPDATED** 03/12/13 **HB** 497/aSRC

SHORT TITLE Electronic Voter Registration Updates **SB** _____

ANALYST Soderquist/Cerny

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI	NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of SRC Amendment

The Senate Rules Committee amendment to HB 497: 1) inserts “allowing for a delayed implementation of provisions of this act” in the title and; 2) changes the effective date for the implementation of the proposed legislation from July 1, 2014 to June 30, 2015.

Synopsis of Original Bill

House Bill 497 (HB 497) would create a new section in Chapter 1, Article 4 NMSA 1978 allowing individuals to update an existing certificate of registration electronically by completing a certificate of registration form on the website of the Secretary of State (SOS). The SOS will, in turn, transmit the certificate to the county clerk in which the resident resides, and the county clerk will print the updated certificate, file it in the county’s register of voters, and enter it into the statewide voter file. The proposed legislation further provides that the electronically updated certificate of registration will be authenticated by the registrant using an electronic signature in conformance with the Electronic Authentication of Documents Act and the Uniform Electronic Transactions Act. Finally, the proposed legislation provides that the SOS shall ensure that the website used for electronic registration is secure and the confidentiality of all users and the integrity of data submitted are preserved.

The effective date of the proposed legislation is July 1, 2014. No appropriation is provided for the implementation of the provisions of the proposed legislation.

FISCAL IMPLICATIONS

HB 497 carries no fiscal impact.

SIGNIFICANT ISSUES

None.

AMENDMENTS

The Attorney General’s Office (AGO) stated in previous analysis that: “Creating a new electronic method of registration, as contemplated by the amendments to Section 1-4-47, would require further amendments to the Chapter 1, Article 4 of the Election Code. Section 1-4-5 does not provide electronic registration as an acceptable method of registration and thus, would need to be amended. The forms created by the SOS’s Office in compliance with Section 1-4-5.1 also do not contemplate registration by an electronic means and thus, this section would also need amendment.”

OTHER SUBSTANTIVE ISSUES

The National Conference of State Legislatures reports that twelve states currently offer online paperless voter registration. Two additional states have passed legislation facilitating online voter registration, but they have not yet begun registering voters electronically. Arizona led the way with this innovation in 2002. Washington followed with authorizing legislation in 2007 and implementation in 2008. In most cases, the states rely on digitized signatures already on file with divisions of motor vehicles.

On January 23, 2013 a bill titled the “Voter Empowerment Act” (H.R. 12) was introduced into Congress by U.S. Representative John Lewis. This bill, if enacted would require the availability of online application, assistance, completion, submission and receipt of voter registration applications.

RS:CAC/svb:blm