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## FISCAL IMPACT REPORT

SPONSOR Ingle ORIGINAL DATE 2/12/15  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Municipal Code Streamlining SB 425

ANALYST Jorgensen

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	Unknown	Unknown	Unknown	Unknown	Recurring	Municipal General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Secretary of State (SOS)

New Mexico Municipal League

### SUMMARY

#### Synopsis of Bill

Senate Bill 425 amends the Municipal Election Code to provide that, if there are no more candidates for office than vacancies to be filled, and no ballot questions are submitted, the candidates shall be declared elected without a vote, upon the certification of the municipal clerk. The bill adds the same provisions for a mayor-council form of government and commission-manager forms of municipal government. Additionally, SB 425 requires that, if there is no candidate for any office, the office shall be declared vacant and the vacancy shall be filled after the date scheduled for the election in accordance with law.

### FISCAL IMPLICATIONS

There may be savings to municipalities which would otherwise have to hold elections even when there are no candidates or ballot questions. See discussion in *significant issues*.

### SIGNIFICANT ISSUES

The New Mexico Municipal League reports:

In 2014, 36 municipalities were required to hold an election when there was no one on the ballot nor any question to be adopted. These elections ranged in cost from \$270 to \$8,643. In 2012 there were 16 such elections ranging in cost from \$400 to 4,636. Even the elections costing a relatively small amount become significant in small municipalities. In Encino for example, the 2014 election cost \$1,142 out of a general fund budget of \$60,614; almost 2 percent of their annual budget was expended in order to hold an election with no candidates and no questions upon which to vote.

CJ/bb