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FISCAL IMPACT REPORT

SPONSOR Chasey ORIGINAL DATE 2/15/16
LAST UPDATED _____ HB 124

SHORT TITLE Gubernatorial Inauguration Contributions SB _____

ANALYST Jorgensen

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with HB 80, 105 and SB 11 and 69

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Secretary of State (SOS)

SUMMARY

Synopsis of Bill

House Bill 124 requires a governor-elect to appoint a treasurer within ten days of the receipt of a contribution or making an expenditure for a gubernatorial inauguration and prohibits the making of an expenditure or receiving a contribution by anyone except through the treasurer. HB 124 establishes requirements and responsibilities of the treasurer including reporting of expenditures and contributions made for a gubernatorial inauguration. The Bill establishes a reporting schedule, contribution limits and outlines how to dispose of remaining moneys in the inaugural fund.

FISCAL IMPLICATIONS

The SOS notes that the bill allows for a paper or electronic filing of the new reports. The SOS could design an paper form for use for these reports as an alternative to making any CFIS system enhancements to avoid a fiscal impact.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Conflicts with HB 80, 105 and SB 11 and 69 which deal with the Campaign Reporting Act.

TECHNICAL ISSUES

The AGO writes:

House Bill 124 refers to “legitimate gubernatorial inauguration expenses” but does not include what might constitute “legitimate” expenses, such as inaugural events, official actions, the inauguration itself or any related celebrations. The bill also contains language that money received by the inaugural treasurer shall not be used “for the personal use of the governor-elect or governor.” Kansas currently has a very similar statute to House Bill 124, which contains the language “[f]or the purpose of this subsection, expenditures for ‘personal use’ shall include expenditures to defray normal living expenses and expenditures for personal benefit having no direct connection with or effect upon the inauguration.” Kan. Stat. Ann. § 25-4186. As it is written, House Bill 124 contains no such language and would leave this up to interpretation in individual cases.

The SOS states the bill only requires that the inaugural treasurer file a report with the SOS regarding the expenditures and contributions associated with the inauguration. The Bill should include the requirement that the reports be made in the online campaign finance reporting system maintained by the SOS for the campaign report filings associated with the Campaign Reporting Act and the Lobbyist Regulation Act. To not require electronic reporting would differentiate these reports from others required by the Campaign Reporting Act and not allow for the public ease of accessibility to the records.

CJ/jo/jle