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## FISCAL IMPACT REPORT

**ORIGINAL DATE** 1/25/2016

**SPONSOR** Cervantes      **LAST UPDATED** \_\_\_\_\_      **HB** \_\_\_\_\_

**SHORT TITLE** Compel Legislative Witnesses & Testimony, CA      **SJR** 8

**ANALYST** Leger

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

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		\$104.0+		\$104.0+	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of Joint Resolution

Senate Joint Resolution 8 proposes an amendment to Article 4 of the Constitution of New Mexico to authorize the Legislature and its committees to compel witnesses to attend legislative hearings, to require sworn testimony and to compel persons to produce documents, electronically stored information or tangible items.

### FISCAL IMPLICATIONS

Under Section 1-16 NMSA 1978 and the New Mexico constitution, the Secretary Of State (SOS) is required to print samples of the text of each constitutional amendment, in both Spanish and English; the state shall have sample ballots printed and furnished to the counties; and the expense incurred by the SOS imprinting and distributing the ballots shall be paid by the state. The SOS is also required to publish them once a week for four weeks preceding the election in newspapers in every county in the state. In 2010, the SOS reports the cost of placing a constitutional amendment on the ballot was \$104.0 thousand.

Minimal expenses may exist for those allowed to administer an oath; such as expenses associated with a notary public (application fee is \$20).

**SIGNIFICANT ISSUES**

SJR 8 proposes the following amendment to Article 4 of the Constitution of New Mexico:

*“Each house of the legislature and any committee of either house or joint committee of both houses, pursuant to the procedural rules of each house, may compel attendance and testimony of a witness before either house or a committee or to command a person to produce documents, electronically stored information or tangible items in that person’s custody or control. The presiding officer of the senate, the speaker of the house of representatives or the chair of a committee of either house or joint committee of both houses of the legislature may administer an oath to a witness who has been compelled to appear and testify pursuant to this section.”*

**ADMINISTRATIVE IMPLICATIONS**

The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose. The next general election is in November 2016.

JLL/al