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## FISCAL IMPACT REPORT

SPONSOR Martinez, J./Thomson, Ivey-Soto ORIGINAL DATE 2/3/17 LAST UPDATED \_\_\_\_\_ HJR 4

SHORT TITLE Register All Qualified Electors to Vote, CA SB \_\_\_\_\_

ANALYST Esquibel

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

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>			\$50.0*	\$50.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

**\*Additional significant operating costs could be necessary beginning in FY20 should HJR4 be enacted (see Fiscal Implications).**

House Joint Resolution 4 relates to House Bill 28, Driver's License Automatic Voter Registration.

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Secretary of State's Office (SOS)

### SUMMARY

#### Synopsis of Bill

House Joint Resolution 4 (HJR4) proposes an amendment to Article 7, Section 1 of the New Mexico Constitution requiring the State of New Mexico ensure all qualified electors are registered to vote for each election. Exceptions to the registration requirement are only for those who affirmatively choose not to be registered. Additionally, the language indicates the vote of a qualified elector shall not be excluded for failure of the State to ensure registration on or before an election day.

### FISCAL IMPLICATIONS

The bill does not include an appropriation.

The Secretary of State's Office (SOS) indicates other than the standard constitutional amendment publication costs discussed below, other fiscal implications are difficult to establish without

companion legislation should this constitutional amendment be passed by the voters. Enabling legislation would likely require system changes at the Motor Vehicle Division of the Taxation and Revenue Department, the Secretary of State, and possibly other state agencies in order to identify and implement the requirement to register every qualified elector in the state. Enabling legislation would also require a mechanism by which a voter could choose to not be registered and would also require a mechanism by which a voter could select a party after being registered. These requirements may require information technology (IT) system changes and other costs. Any extra costs, should the constitutional amendment pass, would likely be realized in FY20.

Section 1-16-13 NMSA 1978 requires the Secretary of State (SOS) to print the full text of each proposed constitutional amendment, in both Spanish and English, in an amount equal to 10 percent of the registered voters in the state. The SOS is also constitutionally required to publish the full text of each proposed constitutional amendment once a week for four weeks preceding the election in newspapers in every county in the state. LFC staff estimate each constitutional amendment may cost up to fifty thousand dollars (\$50,000) in printing and advertising costs based on 2016 actual expenditures.

## **PERFORMANCE IMPLICATIONS**

The Secretary of State's Office (SOS) reports if this bill passes, it will appear as a constitutional amendment on the 2018 general election ballot. If the voters pass an amendment to the Constitution, enabling legislation will need to be passed providing authority for administration of the mandates, and provisions of the election code would need to be amended to comply with the new constitutional requirement.

## **TECHNICAL ISSUES**

The Secretary of State's Office (SOS) notes automatic voter registration may lead to a larger number of voters that are not affiliated with a major party and, under current laws, these voters would be unable to participate in a primary election.

## **OTHER SUBSTANTIVE ISSUES**

The Secretary of State's Office (SOS) writes depending on the enabling legislation, automatic voter registration could ease some of the administrative overhead currently experienced when registering voters. For example, on the days prior to the registration books closing for the 2016 general election, 65,000 registrations were received and the subsequent processing of these registrations by the county clerks took weeks, all while absentee and early voting was underway. If qualified electors were automatically registered based upon information already existing in other government databases, the processing of registrations would be more continual and workloads likely more regulated.

Additionally, automatic voter registration could result in cleaner, more accurate voter rolls. Currently, a registered voter must submit a new voter registration form or electronic voter registration to update the information on their voter registration record. If the updated information was automatically provided upon updating this information with another governmental entity such as the Taxation and Revenue Department, the voter rolls would be more accurate.