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FISCAL IMPACT REPORT

SPONSOR Pirtle ORIGINAL DATE 2/07/17
LAST UPDATED _____ HB _____
SHORT TITLE Voter Registration Agent Registration SB 163
ANALYST Esquibel

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		
N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

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

SUMMARY

Synopsis of Bill

Senate Bill 163 (SB163) proposes to amend Section 1-1-16.1 of the election code to add a requirement that voter registration agents (VRAs) be registered voters in the state.

FISCAL IMPLICATIONS

The bill does not include an appropriation.

The Secretary of State indicates its office expects no fiscal impact related to this legislation.

SIGNIFICANT ISSUES

The Secretary of State's Office (SOS) indicates a voter registration agent (VRA) is a person who undergoes training provided by the SOS or county clerk and then signs up as a third party agent to assist in registering people to vote in New Mexico. Upon being registered as a VRA, the individual is issued a set of state prescribed registration forms for use in registering voters. Under current law, there are no limitations on who can be a registered VRA including citizens of other states or countries, felons and even children. SB163 would limit who can be a VRA to only registered voters of New Mexico.

In the past, New Mexico saw an influx in VRAs from out of state organizations that used the federal voter registration form to register voters rather than the prescribed New Mexico registration form. The federal form does not collect all of the state's statutorily prescribed information necessary for a person to register in New Mexico. When a county clerk receives a registration on the federal form that is missing state required information, the clerks are unable to process the registration and, instead, send the state form to the voter in order to collect all of the required information. This causes a delay in registering the person, adds additional administrative overhead to the process, and potentially defeats the purpose of the assistance provided by the VRA.

The SOS notes SB163 could potentially create an increase in unregistered individuals acting as VRAs using the federal form due to individuals having limited access to the state form, as many organizations that conduct third-party voter registration activities use individuals who are not registered voters in New Mexico such as students, out-of-state persons and non-citizen residents.

The sponsor may want to consider, rather than restricting VRAs only to individuals registered to vote in New Mexico, establishing an age minimum, a residency requirement, or other criteria to ensure individuals such as convicted felons and young children who may not be able to responsibly meet the requirements of state voter registration law are not eligible to become VRAs until such time as they meet those criteria.

TECHNICAL ISSUES

The SOS suggests, in lieu of limiting voter registration agents (VRAs) only to New Mexico voters, to instead establish an age minimum, a residency requirement, or other criteria to ensure that individuals such as convicted felons and young children who may not be able to responsibly meet the requirements of state voter registration law are not able to become VRAs until such time as they meet those criteria.

RAE/sb