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FISCAL IMPACT REPORT

SPONSOR Dow/Ivey-Soto ORIGINAL DATE 1/29/2018
LAST UPDATED _____ HB 119
SHORT TITLE Confidential Substitute Address Act SB _____
ANALYST Edwards

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	Minimal	Minimal	Minimal	Minimal	Minimal

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
Crime Victims Reparation Commission (CVRC)
Secretary of State (SOS)

SUMMARY

Synopsis of Bill

House Bill 119 repeals section 40-13-11 NMSA 1978, the Substitute Address Act, and creates the Confidential Substitute Address Act to clarify and define the policies and procedures. The bill defines the confidential substitute address program to allow victims of domestic violence to register with the Secretary of State (SOS) for mail delivery in order to protect the confidentiality of their real residential and delivery addresses. It requires the SOS to maintain a mailing address for program participants and disperse first class mail to their real address which is kept confidential. The Act also provides language for the use of the confidential address in the registration of children to educational institutions and any other state agency that requests the use of the address on behalf of an applicant. All names, addresses and telephone numbers of participants would be exempt from public record. The bill also includes language that the SOS staff person maintaining this program shall complete 40 hours of training and complete a background check.

FISCAL IMPLICATIONS

The SOS already maintains the Confidential Address Program (CAP) and already meets the

majority of the required provisions such as the relevant security and storage requirements. The primary cost of administering CAP is forwarding mail received on behalf of participants to their real physical addresses. The SOS is also required by the Act to provide identification cards for program participants to access services from other governmental agencies which results in a minimal cost. These costs have already been absorbed by the operating budget of the SOS. There may be some fiscal impact with new language regarding 40 hours of training on domestic violence and to conduct the required criminal background checks on staff members for the SOS staff involved in administering the program.

The Crime Victim Reparation Commission, with Victims of Crime Act (VOCA) federal funds, would be able to enhance this program.

SIGNIFICANT ISSUES

The Crime Victims Reparation Commission (CVRC) provided the following background on other state's CAP programs:

This program is utilized in approximately 22 other states with certain victims as listed on this bill and has been successful at keeping their information confidential. Most of these states who have confidential address programs, fund their programs with full-time employees (1 or 2 FTE and even with small amount of staff time). The funding ranged from \$1.2 thousand to \$245.8 thousand for mailings. For this program to be successful, an FTE would be required with additional operating expenses such as training, travel costs, building lease, phone, office supplies, postage, advertising and indirect cost. Membership to the National Association of Confidential Address Program would be encouraged to keep up with best practices in the nation. States that have invested funds to this program, have proven to be successful.

Although, our state provides this program currently, very few service providers who work with these victims know this program exists, much more outreach and training needs to be conducted state wide and membership to the national association would be encouraged.

CVRC, as a service provider has referred two victims to SOS for this program. A collaboration with the New Mexico Coalition of Sexual Assault Programs, the New Mexico Coalition Against Domestic Violence and the Coalition to Stop Violence Against Native Women would be strongly encouraged. Each of these agencies works closely with the clients listed on this bill and would facilitate trainings statewide.

PERFORMANCE IMPLICATIONS

SOS states “the specificity outlined for administering the program, including the process to decertify a participant from the program will allow uniform handling of participants and consistent administration of the program.”

TRE/al