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FISCAL IMPACT REPORT

SPONSOR Montoya, RD/Ely/Louis/Townsend
 ORIGINAL DATE 03/09/21
 LAST UPDATED _____
 HJR 13

SHORT TITLE Legislative Session Changes, CA
 SB _____

ANALYST Gaussoin

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Election Costs			\$150.0-\$200.0	\$150.0-\$200.0	Nonrecurring	General Fund
Session Costs			See Fiscal Implications			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Attorney General (NMAG)

SUMMARY

Synopsis of House Joint Resolution

House Joint Resolution 13 would ask voters to amend Article 4, Sections 5 and 23, of the New Mexico Constitution to change the length of legislative sessions from 60 days in odd-numbered years and 30 days in even-numbered years to 45 days every year. In addition, the amendment would remove restrictions on what bills can be considered during sessions in even-numbered years, currently limited to revenue bills, bills requested by the governor, and bills vetoed by the governor in the previous year. Finally, the amendment would provide that any bill without an effective date would go into effect 75 days after the adjournment of the Legislature, as opposed to the 90 days currently in the constitution.

If approved by the Legislature, voters would consider the amendment during the next general election in November 2022 or during a special election called for the purpose of considering the question.

FISCAL IMPLICATIONS

House Joint Resolution 13 – Page 2

Almost \$5.5 million was appropriated for the 30-day legislative session in 2020 and about \$10.2 million was appropriated for the current 60-day session, suggesting a 45-day session would cost about \$7.85 million. In effect, a move to a 45-day sessions every year should result in savings in odd-numbered fiscal years and extra costs in even-numbered fiscal years and should balance out over two years.

HJR13 would require the constitutional amendment be on ballot in November 2022. Under Section 1-16-4 NMSA 1978 and the New Mexico Constitution, the Secretary of State is required to print samples of the text of each constitutional amendment, in both Spanish and English, in an amount equal to 10 percent of the registered voters in the state. The Secretary of State is also required to publish them once a week for four weeks preceding the election in newspapers in every county in the state. The estimated cost per constitutional amendment is \$150 thousand to \$200 thousand depending on the size and number of ballots and if additional ballot stations are needed.

SIGNIFICANT ISSUES

The New Mexico Legislature met every other year until 1964, when voters – apparently persuaded by arguments the state had become too big to continue to work with biennial budgets – approved a 30-day session just for budget issues to be held during even-numbered years.

With no restrictions on the bills that can be considered during sessions in even-numbered years, it is likely more bills will be introduced; however, with fewer days for consideration during sessions in odd-numbered years, more bills are likely to die on adjournment through inaction.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HJR13, relates to SJR23 concerning legislative term limits.

Three proposals to ask voters to amend the constitution to expand the scope of 30-day sessions and change session length introduced in 2020 and 2019 have died on adjournment through lack of action.

HG/sb