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## FISCAL IMPACT REPORT

**SPONSOR** Cervantes                      **ORIGINAL DATE** 02/18/21  
**LAST UPDATED** \_\_\_\_\_                      **HB** \_\_\_\_\_  
**SHORT TITLE** 2/3 For Some Extraordinary Sessions, CA                      **SJR** 20  
**ANALYST** Hanika-Ortiz

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

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		\$150.0 - \$200.0		\$150.0 - \$200.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Attorney General (NMAG)

### SUMMARY

#### Synopsis of Bill

Senate Joint Resolution 20 proposes to ask voters to decide whether to amend Article 4, Section 6 of the New Mexico constitution to require two-thirds of elected house and senate members, instead of the existing three-fifths, to certify to the governor an emergency exists; and to change the current five days for the governor to convene the Legislature into an extraordinary session, to two days.

If passed, SJR20 would be submitted to the voters of New Mexico for their approval or rejection at the next general election, or at any special election that may be called for this purpose.

### FISCAL IMPLICATIONS

Under Section 1-16-4 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 Spanish and English, in an amount equal to ten percent of the registered voters in 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. The estimated cost per constitutional amendment is \$150 thousand-\$200 thousand depending upon the size and number of ballots and if additional ballot stations are needed.

**SIGNIFICANT ISSUES**

As the NMAG explained, the current three-fifths (3/5) requirement would mean 25 senate members and 42 house members are needed to certify to the governor an emergency exists. SJR20 changes to two-thirds of the members and rounding up because a percentage of a person is not possible, and would require 29 senate members and 47 house members to certify to the governor an emergency exists; adding approximately a total of 9 more senate and house members voting in favor of the emergency certification under the SJR20 proposed constitutional amendment.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Conflicts with House Joint Resolution 6, Termination of Emergency Declarations, which also proposes to amend Article 4, to the extent it maintains the existing 3/5ths member voting requirement.

AHO/al/rl