

LFC Requester:	Emily Hilla
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 02/3/2025 *Check all that apply:*
Bill Number: SB 218 Original Correction
 Amendment Substitute

Sponsor: Duhigg **Agency Name and Code:** Municipal League (ML)
Short Title: Election Code Changes **Number:** _____
Title: _____ **Person Writing:** Rebecca Martinez
Phone: 505-690-3278 **Email:** rmartinez@nmml.org

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Senate Bill 218 proposes to make changes to the New Mexico Election Code, including the elimination of the Municipal Officer Election, which allows municipalities to conduct their own local elections, to either elect their municipal officers or pose ballot questions, and utilize voter identification provisions, if enacted.

Other changes propose adjustments to the Home Address Confidentiality Program, provisional ballot and automatic recount procedures, the Campaign Reporting Act, the Voter Action Act, and the Special Election Act. SB218 proposes to require the Secretary of State to implement an online petition system for qualification of political parties, and eliminate the pre-primary nominating designation process

Additions with SB 218 include certification of presidential and vice-presidential candidates after a national party convention, procedures for dealing with a vacancy after the presidential primary, and development of emergency election provisions in the event of a declared state of emergency.

FISCAL IMPLICATIONS

SB 218 could result in a cost-saving for municipalities that currently run their own elections, as they would no longer be responsible for the cost of conducting an election. The cost for the election would still be paid for by public funding, by the state's Election Fund.

Municipalities that currently run their own elections have chosen to take on these election costs because it allows them to have direct oversight of their local elections.

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

SB 218 preempts local decision-making by removing the option for municipalities to conduct their own local elections to elect their municipal officers (mayor, councilor/trustee/commissioner, municipal judge) or pose ballot questions. SB 218 would also prohibit a home-rule municipality whose citizens have enacted a voter identification provision, from administering them.

It is unclear whether the proposed amendments of SB 218 will decrease or increase the terms of office for municipal officials who have a current term expiration of March 2026; without clarification, the bill could have the effect of shortening terms of current officials.

In 2018, the NM Legislature adopted the Local Election Act, which provided for the consolidation of local elections, if a municipality chose to participate, while leaving municipalities that wanted to continue conducting their own elections, exempt from the consolidation. The options were crafted in observance of local authority. SB 218 violates this agreement and infringes upon the right of incorporated municipalities to self-govern and have local autonomy on matters expressed by law.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS