

LFC Requester:

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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: 2/25/2025

Check all that apply:

Bill Number: SB 485Original Correction Amendment Substitute Sponsor: Jay C. Block
Pat BooneShort Title: REDUCE EARLY VOTING
TIME

Agency Name

and Code

Secretary of State - 370

Number:

Person Writing Lindsey BachmanPhone: 505-479-2626 Email lindsey.bachman@sos.nm.gov**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)

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB 485 reduces the number of early voting days for statewide elections from 28 days to 15 days and requires that county clerks administer early voting beginning the third Saturday prior to the election at their offices. Further amendments provide that early voting at county clerk's offices on Saturdays begin at 7:00 am and last for 12 hours.

The bill removes an existing option which allows the Secretary of State's Office (SOS) to approve changes to additional early voting polling locations within 90 days of an election and requires those early voting locations be open for 12 hours, seven days a week, from 7:00 am to 7:00 pm.

FISCAL IMPLICATIONS

The bill's twelve-hour requirement for early voting at county clerks' offices on Saturdays as well as at alternate early voting locations would result in substantial overtime costs for election administration staff and other county employees.

SIGNIFICANT ISSUES

Early voting was the preferred method for voting by New Mexican voters in statewide elections in the last two general elections. 556,422 voters cast their ballots during the early voting period in the 2024 general election. 353,569 voters cast their ballots during the early voting period during the 2022 general election.

Nationally, voters are also choosing to vote early more and more. A 2024 study¹ from the Center for Election Innovation and Research found that "40% of votes [were] cast before election day in 2016 and 69% in 2020."

According to the National Conference on State Legislatures, as of August 2024, 47 states offer early voting options to their voters, with 27 days being the average length of time early voting occurs in those states.

Should 485 pass, it would dramatically reduce the timeline early voters have available to cast ballots in the state, potentially reducing the overall turnout in New Mexico's elections.

In addition, the removal of the flexibility for county clerks to request approval from the SOS to modify early voting locations within 90 days of an election would mean county clerks could not adapt voting accessibility of natural disasters or in the event a polling location becomes unusable during that period of time.

1. Flemke, Kira. "The Growing Use of Voting Before Election Day," September 2024. <https://electioninnovation.org/research/voting-before-election-day-resources/use-voting-before-election-day/>.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

Although the SOS does not support a reduction in the early voting period in New Mexico, should the legislature pass SB 485, there would be additional challenges for election administrators.

The third Saturday prior to an election falls outside of the 15-day timeline outlined for early voting at county clerks' offices in the bill. When considering the dates for the 2024 general election, 15 days prior to that election would have been Tuesday, October 22nd. The third Saturday would have been October 19th, which means voting would have started on the third Saturday and then skipped Monday the 18th. It would reduce confusion among the public and voters to have the period be better defined to start on the third Saturday prior the election. County clerks' offices and the SOS would also benefit by not needing to clarify with the public when voting is occurring.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS