

LFC Requester:	
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**AGENCY BILL ANALYSIS
2017 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

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

Check all that apply:

Original	<input type="checkbox"/>	Amendment	<input checked="" type="checkbox"/>	Date	<u>2-23-17</u>
Correction	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Bill No:	<u>SB245a</u>

Sponsor:	<u>Daniel A. Ivey-Soto</u>	Agency Code:	<u>264</u>
Short Title:	<u>Confidential Substitute Address Act</u>	Person Writing	<u>Gail MacQuesten</u>
		Phone:	<u>466-0532</u>
		Email	<u>gailmacquesten@gmail.com</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		
0	0	n/a	n/a

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY17	FY18	FY19		
0	0	0	n/a	n/a

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	minimal	minimal	minimal	Minimal	Recurring	General

(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:

The Judiciary Committee amendment to SB245 adds a new section addressing participant voter records.

SB245a requires the secretary of state to maintain a secured module within the state voter registration electronic management system in which participant voter registrations are maintained.

When a person is certified as a participant, the secretary of state shall determine if the participant is a voter. If the person is a voter, the person's voter registration shall be transferred from the voter file to the secured module. Non-voters who are qualified electors shall be given the opportunity to register to vote, with the voter registration information entered into the secured module.

When a person is de-certified as a participant, the secretary of state shall transfer the voter registration information back to the voter file, and deliver any certificates of registration to the county clerk of the county of the former participant's residential address.

For statewide elections, the secretary of state shall send the participant a ballot for the precinct in which the participant's residential address is located. The ballot must be sent thirty five days before the election. Votes shall be tallied in a manner that does not disclose the participant's information to any unauthorized person.

Votes cast are included in the tally of the state canvass. The secretary of state shall prepare a report viewable only by members of the state canvassing board.

SB245a provides details for the handling of recounts and contested elections that allow participants to vote, while keeping their address confidential.

FISCAL IMPLICATIONS

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.

The amendment has no fiscal implications for the district attorneys. It adds tasks for the secretary of state, and that office may experience additional costs.

SIGNIFICANT ISSUES

SB245a addresses issues involved in allowing participants to vote, while protecting the participant's confidentiality and protecting the voting process. SB245a specifically addresses statewide elections; it is less clear how a participant can vote in local elections while protecting address confidentiality.

PERFORMANCE IMPLICATIONS

The amendment has no performance implications for the district attorneys.

ADMINISTRATIVE IMPLICATIONS

The amendment has no administrative implications for the district attorneys.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None noted.

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

SB245a addresses practical issues involving statewide voting. There are other situations that require accurate local addresses, such as local voting and school registration, that may need to be addressed in the bill.

ALTERNATIVES

None proposed.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Without the amendment, SB245 will not provide a mechanism for participants to vote in statewide elections while keeping their residence confidential.

AMENDMENTS

None proposed.