

LFC Requester:	Jessica Hitzman
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**AGENCY BILL ANALYSIS
2023 REGULAR SESSION**

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 ___ **Amendment** X
Correction ___ **Substitute** ___

Date 1/20/2023
Bill No: HB 103

Sponsor: Rep. M. McQueen
Short Title: Campaign Reporting Changes

Agency Name and Code 305–Office of the Attorney General
Number: _____
Person Writing Mark W. Allen, AAG
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY23	FY24	FY25	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

This analysis is neither a formal Attorney General Opinion nor an Attorney General Advisory Letter. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the Office of the Attorney General.

BILL SUMMARY

Synopsis:

HB 103 amends NMSA 1978 Section 1-19-29 (Time and place of filing reports). These amendments include: (1) moving the first of the bi-annual reporting deadlines from the second Monday of June to the second Tuesday following the second Monday of June (along with a similar change to the relevant timeframe for contributions), (2) lowering the reporting threshold for donations received between the bi-annual reporting period and election day to \$1,000 for all elections (previously \$3,000 for statewide elections, \$1,000 for other elections), (3) adding a requirement that all expenditures and contributions made on or before election day and not previously reported be reported on or before the seventh day following a general election, (4) shortening the reporting deadlines for individuals participating in primary elections who do not thereby become candidates, and (5) adding a requirement that all persons subject to the legislative session fundraising prohibition report any monetary contributions received during the prohibited period on or before the seventh day following the prohibited period.

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.

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB 42 makes certain changes to reporting requirements that may affect this bill as noted below in "other substantive issues."

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

The reporting requirement for contributions during the prohibited period refers to "a

reporting individual.” p. 4, ln. 16. If SB 42 were to pass, the prohibited period would also apply to campaign committees and legislative caucus committees, who would not be considered “individuals” under traditional interpretation.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS