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HOUSE BILL 124

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Gail Chasey

AN ACT

RELATING TO ELECTIONS; ESTABLISHING CONTRIBUTION LIMITS,
REPORTING AND OTHER REQUIREMENTS FOR THE FUNDING OF
GUBERNATORIAL INAUGURATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Campaign Reporting Act is
enacted to read:

"~~[NEW MATERIAL]~~ GUBERNATORIAL INAUGURATION CONTRIBUTIONS--
TREASURER--ACCOUNTS REQUIRED--REPORTS--USE OF INFORMATION IN
REPORTS--DISPOSITION OF CONTRIBUTIONS.--

A. Not later than ten days after receiving any
contribution or making any expenditure for a gubernatorial
inauguration, the governor-elect shall appoint an inaugural
treasurer. The name and address of the treasurer shall be
reported to the secretary of state by the governor-elect not

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1 later than ten days after the appointment.

2 B. No person shall make any expenditure or make or
3 receive any contribution, in kind or otherwise, for a
4 gubernatorial inauguration except by or through the inaugural
5 treasurer.

6 C. The inaugural treasurer shall keep detailed
7 accounts of all contributions and other receipts received, in
8 kind or otherwise, and all expenditures made for a
9 gubernatorial inauguration. Accounts of the treasurer are
10 public records and shall be preserved for a period designated
11 by the secretary of state. No contribution or other receipt
12 received by the inaugural treasurer shall be commingled with
13 personal funds of the governor-elect or inaugural treasurer.

14 D. The inaugural treasurer shall file with the
15 secretary of state a report of expenditures and contributions
16 on March 15 and July 15 following the inauguration. The report
17 filed in March shall be for the period ending on February 28
18 and the report filed in July shall be for the period beginning
19 on March 1 and ending on June 30.

20 E. Each required report of expenditures and
21 contributions shall be typed or printed legibly, or in an
22 electronic format approved by the secretary of state, and shall
23 include:

24 (1) the name and address of the person or
25 entity to whom an expenditure was made or from whom a

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1 contribution was received; provided that for contributors, the
2 name of the entity or the first and last names of any
3 individual shall be the full name of the entity or individual,
4 and initials only shall not constitute a full name unless that
5 is the complete legal name;

6 (2) the occupation and employer, or name and
7 type of business, of any person or entity making contributions
8 of two hundred fifty dollars (\$250) or more in the aggregate to
9 the inaugural treasurer;

10 (3) the amount of the expenditure or
11 contribution or value thereof;

12 (4) the purpose of the expenditure; and

13 (5) the date the expenditure was made or the
14 contribution was received.

15 F. Each report shall contain an opening and closing
16 cash balance for the bank account maintained by the inaugural
17 treasurer during the reporting period and the name of the
18 financial institution.

19 G. Each report shall specify the amount of each
20 unpaid debt and the identity of the person to whom the debt is
21 owed.

22 H. The July report shall be a termination report,
23 which shall include full information as to the disposition of
24 residual funds.

25 I. The aggregate amount contributed, in kind or

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1 otherwise, by any person for a gubernatorial inauguration shall
2 not exceed two thousand dollars (\$2,000). No person shall make
3 a contribution in the name of another person, and no person
4 knowingly shall accept a contribution made by one person in the
5 name of another. No person shall give or accept any
6 contribution in excess of fifty dollars (\$50.00) unless the
7 name and address of the contributor is made known to the
8 individual receiving the contribution.

9 J. No money received by an inaugural treasurer
10 shall be used or be made available for the personal use of the
11 governor-elect or governor or shall be used by the
12 governor-elect or governor except for legitimate gubernatorial
13 inauguration expenses.

14 K. Before the filing of a termination report in
15 accordance with this section, all residual funds not otherwise
16 obligated for the payment of expenses incurred for the
17 gubernatorial inauguration shall either be:

18 (1) donated to any charitable organization
19 that is described in Section 501(c)(3) of the Internal Revenue
20 Code of 1986 and that meets the requirements of Section
21 170(h)(3) of that code; or

22 (2) remitted to the state treasurer who shall
23 deposit the entire amount in the state treasury and credit such
24 money to the governor's residence preservation fund.

25 L. For the purposes of this section:

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(1) "contribution" means a gift, subscription,
loan, advance or deposit of money or other thing of value,
including the estimated value of an in-kind contribution, that
is made or received for gubernatorial inauguration expenses;
and

(2) "expenditure" means a payment, transfer or
distribution or obligation or promise to pay, transfer or
distribute any money or other thing of value."