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SENATE BILL 310

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

INTRODUCED BY

Howie Morales

AN ACT

RELATING TO ELECTIONS; BASING CAMPAIGN CONTRIBUTION LIMITS ON  
THE CALENDAR YEAR INSTEAD OF ON PRIMARY AND GENERAL ELECTION  
CYCLES.

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

**SECTION 1.** Section 1-19-34.7 NMSA 1978 (being Laws 2009,  
Chapter 68, Section 1) is amended to read:

"1-19-34.7. CONTRIBUTION LIMITATIONS--CANDIDATES--  
POLITICAL COMMITTEES.--

A. The following contributions by the following  
persons are prohibited:

(1) from a person, not including a political  
committee, to a:

(a) candidate for nonstatewide office,  
including the candidate's campaign committee, in an amount that

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1 will cause that person's total contributions to the candidate  
2 to exceed two thousand three hundred dollars (\$2,300) [~~during~~  
3 ~~the primary election or two thousand three hundred dollars~~  
4 ~~(\$2,300) during the general election]~~ in a calendar year;

5 (b) candidate for statewide office,  
6 including the candidate's campaign committee, in an amount that  
7 will cause that person's total contributions to the candidate  
8 to exceed five thousand dollars (\$5,000) [~~during the primary~~  
9 ~~election or five thousand dollars (\$5,000) during the general~~  
10 ~~election]~~ in a calendar year; or

11 (c) political committee in an amount  
12 that will cause that person's total contributions to the  
13 political committee to exceed five thousand dollars (\$5,000)  
14 [~~during a primary election or five thousand dollars (\$5,000)~~  
15 ~~during a general election]~~ in a calendar year; and

16 (2) from a political committee to:

17 (a) a candidate for office, including  
18 the candidate's campaign committee, in an amount that will  
19 cause the political committee's total contributions to the  
20 candidate to exceed five thousand dollars (\$5,000) [~~during the~~  
21 ~~primary election or five thousand dollars (\$5,000) during the~~  
22 ~~general election]~~ in a calendar year; or

23 (b) another political committee in an  
24 amount that will cause that political committee's total  
25 contributions to the political committee to exceed five

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1 thousand dollars (\$5,000) [~~during a primary election or five~~  
2 ~~thousand dollars (\$5,000) during a general election]~~ in a  
3 calendar year.

4 B. All contributions made by a person to a  
5 candidate, either directly or indirectly, including  
6 contributions that are in any way earmarked or otherwise  
7 directed through another person to a candidate, shall be  
8 treated as contributions from the person to that candidate.

9 C. A person, including a political committee, shall  
10 not knowingly accept or solicit a contribution, directly or  
11 indirectly, including a contribution earmarked or otherwise  
12 directed or coordinated through another person, including a  
13 political committee, that violates the contribution limits  
14 provided for in this section.

15 D. On the day after each general election, the  
16 contribution amounts provided in Subsection A of this section  
17 shall be increased by the percentage of the preceding two  
18 calendar years' increase of the consumer price index for all  
19 urban consumers, United States city average for all items,  
20 published by the United States department of labor. The amount  
21 of the increase shall be rounded to the nearest multiple of one  
22 hundred dollars (\$100). The secretary of state shall publish  
23 by October 1 before each general election the adjusted  
24 contribution limits that shall take effect the day after the  
25 following general election.

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1           E. All contributions in excess of the limits  
2 imposed by the provisions of this section shall be deposited in  
3 the public election fund upon a finding by the secretary of  
4 state that the contribution limits have been exceeded.

5           F. The limitation on contributions to a candidate  
6 provided for in Subsection A of this section shall not apply to  
7 a candidate's own contribution from the candidate's personal  
8 funds to the candidate's own campaign.

9           ~~[G. For the purposes of this section:~~  
10                 ~~(1) "primary election" means the period~~  
11 ~~beginning on the day after the general election for the~~  
12 ~~applicable office and ending on the day of the primary for that~~  
13 ~~office; and~~  
14                 ~~(2) "general election" means the period~~  
15 ~~beginning on the day after the primary for the applicable~~  
16 ~~office and ending on the day of the general election for that~~  
17 ~~office.]"~~

18           SECTION 2. EFFECTIVE DATE.--The effective date of the  
19 provisions of this act is January 1, 2013.