

LFC Requester:	Connor Jorgensen
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**AGENCY BILL ANALYSIS
2015 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 checked="" type="checkbox"/>	Amendment	<input type="checkbox"/>	Date	<u>01/16/2015</u>
Correction	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Bill No:	<u>SB 90</u>

Sponsor:	<u>Senator Mark Moores</u>	Agency Code:	<u>Attorney General's Office</u>
Short Title:	<u>Removal from Office for Felony Conviction</u>	Person Writing:	<u>John Wheeler, Chief Counsel</u>
		Phone:	<u>827-6000</u>
		Email:	<u>jwheeler@nmag.gov</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	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’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

BILL SUMMARY

Synopsis: SB-90 proposes to amend NMSA 1978 Section 10-1-2 by adding language regarding the removal from office of a stated class of individuals, and forfeiture of campaign committee funds. The proposal provides this forfeiture shall be accomplished utilizing the state forfeiture act. Proceeds of the forfeiture are to be deposited into the Children’s Trust Fund. The amendment defines “public office” as any state elected office, the office of a Cabinet Secretary or an appointed position on a board or commission.

FISCAL IMPLICATIONS

Note: There are no discernable fiscal implications to the Office of the Attorney General presented by the proposed legislation.

SIGNIFICANT ISSUES : The most significant issue presented by the proposed legislation is the use of the state forfeiture act to accomplish the stated purpose in the amendment. The state forfeiture act requires that any proceeding which uses the forfeiture act be conducted as a bifurcated proceeding related to the criminal trial. This may prove unworkable based on the current forfeiture act.

PERFORMANCE IMPLICATIONS: N/A

ADMINISTRATIVE IMPLICATIONS: N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP: N/A

TECHNICAL ISSUES: NONE

OTHER SUBSTANTIVE ISSUES: NONE

ALTERNATIVES: NONE proposed

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL: status quo

AMENDMENTS: None Proposed