

**This is an amendment to 1.10.13 NMAC, Section 27, effective 4/24/2018.**

**1.10.13.27 PRIMARY AND GENERAL ELECTION CYCLES FOR PURPOSES OF CONTRIBUTION LIMITS**

**A.** For state representatives and any other two year office holders and for political committees, the primary election cycle begins the day after each general election and ends at midnight on the day of the primary election. The general election cycle begins on the day after each primary election and ends at midnight on the day of the general election.

**B.** For statewide office holders and any other four year office holders [~~and for political committees~~], the primary election cycle begins on the day after the general election in which the office is on the ballot, or included in governor's primary election proclamation, and ends at midnight on the day of the primary election in which the office appears on the ballot. The general election cycle begins on the day after the applicable primary election and ends at midnight on the day of the general election.

**C. Transferring funds to a different primary or general election cycle in CFIS:** Within CFIS, the secretary of state shall move funds, including debts, from an existing candidate campaign account to a new candidate campaign account pursuant to section 1.10.13.8(I), including for a candidate campaign committee that reports on a different election cycle. This transfer is applicable to all current and former candidates and elected officials who have an open CFIS account including candidates who chose to run for a different office.

(1) Each time a candidate runs for office, a new candidate campaign committee registration form is required. If a candidate has previously run for an office covered by the CRA, the secretary of state will create a new campaign in CFIS for the election year listed on the registration form in the candidate's existing CFIS account.

(2) Upon submitting the candidate campaign committee registration form for the new campaign year, the candidate is eligible to collect contributions in accordance with the contribution limits and the election cycle applicable to the campaign year and office listed on the form.

(3) Candidate withdrawal or loss of a primary election: If a candidate withdraws from candidacy or loses an election, the candidate may move funds collected to a future election campaign by submitting a new candidate campaign committee registration form.

(4) If contributions collected under the previous campaign cycle exceed what is allowable for the office associated with the new campaign, the candidate must take one of the following actions:

(a) Refund excessive funds to the original contributor;

(b) Allocate excessive funds received in a primary election cycle to the general election cycle to ensure limits are met; or

(c) Turn excess funds over to the SOS to deposit within the public election fund pursuant to Section 1-19-34.7 NMSA 1978.

[1.10.13.27 NMAC - N, 10/10/2017; A, 04/24/2018]