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New Mexico Secretary of State Toulouse Oliver Releases 2016 Election Cycle Campaign Finance Random Examination Report

SANTA FE – New Mexico Secretary of State Maggie Toulouse Oliver today released the [Campaign Finance Random Examination Report for the 2016 Election Cycle](#) (“Report”). Continuing Secretary of State Toulouse Oliver’s strong commitment to transparency and open government, this is the first time that the Secretary of State’s office has proactively shared the Report and posted it on the Secretary of State’s website.

“Our random audit revealed that the majority of public officials and political committees are complying with the laws set forth in the Campaign Reporting Act and also highlighted areas in which my office can take additional steps to strengthen our educational efforts with future candidates to ensure full disclosure and compliance regarding the use of campaign funds.” said Secretary of State Toulouse Oliver. “It’s important to make this information publicly available so that all New Mexicans can scrutinize where their elected officials are getting their campaign funding, how they’re spending it and whether they are complying with the law.”

The Campaign Reporting Act (CRA) requires the Office of the New Mexico Secretary of State “to conduct a thorough examination of at least ten percent” of the campaign reports filed during the campaign reporting year following each general election (See §1-19-32.1). The purpose of this examination is to perform a spot check in order to determine whether any candidates, campaigns or political committees may have violated provisions of the CRA. The Report released today is an explanation of the process and findings of the examination conducted by the Secretary of State’s office after the 2016 General Election.

The review process included an examination of 106 randomly selected candidates and political committees. The review included a variety of different violations of the CRA including, but not limited to, exceeding the contribution limits and violating the provisions set for permissible use of campaign funds. Out of the 106 reporting entities reviewed, the Secretary of State’s office identified ten entities with one or more potential violations, including some entities that were found as a result of cross referencing the 106 reports, which required the candidate or political committee to provide additional information, pay excessive funds to the public election fund, or amend reports. All entities except one responded to inquiries made by the SOS, provided the required information, and otherwise worked with the SOS to come into voluntary compliance with the CRA as needed.

Only one discrepancy found during the review remains outstanding. This case involves an entity that potentially failed to register as a political committee, and is being forwarded to the Office of the Attorney General for further review.

In the coming weeks, Secretary of State Toulouse Oliver will announce a draft administrative rule that will provide much needed campaign finance reforms and additional clarity and guidance under the CRA. As part of this announcement, Secretary of State Toulouse Oliver will publicize a schedule of public hearings to be held across the state and provide a mechanism for New Mexicans

to submit official comment on the rule. The draft rule will also be posted on the Secretary of State's website. The final administrative rule is expected to be effective in time to provide guidance on disclosure requirements to candidates planning to run in the 2018 primary and general elections. Secretary of State Toulouse Oliver is granted this rulemaking authority under State law.

Click here for the [Campaign Finance Random Examination Report for the 2016 Election Cycle](#).

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