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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

MEXICO

**DECREE REFORMING, REPEALING AND ADDING VARIOUS ARTICLES
OF THE POLITICAL CONSTITUTION OF
THE UNITED MEXICAN STATES
IN ELECTORAL MATTERS***

(*) Unofficial translation

SERGIO CARLOS GUTIÉRREZ LUNA
PRESIDENT OF THE BOARD OF DEPUTIES OF
THE CHAMBER OF DEPUTIES
OF THE HONORABLE CONGRESS OF THE UNION
PRESENT

On the basis of the provisions of article 71, section I, of the Political Constitution of the United Mexican States, I submit, through you, before this Honourable Assembly, the **Initiative with Draft Decree by which various articles of the Political Constitution of the United Mexican States are amended, repealed and added to, in electoral matters, in** accordance with the following:

EXPLANATORY MEMORANDUM

The purpose of this initiative is to adapt the Mexican electoral system to the political transformations that Mexico has undergone in recent years. Specifically, it seeks to broaden representativeness and guarantee plurality in public powers; to insert the principle of republican austerity in the electoral and party system; to facilitate the exercise of mechanisms for citizen participation in public life; to strengthen administrative and jurisdictional bodies in electoral matters, safeguarding the balance of power and their impartiality in electoral contests; and to standardise local electoral processes and the method of representation.

Specifically, it is proposed to reform articles 35, 41, 51, 52, 53, 54, 55, 56, 60, 63, 73, 99, 105, 110, 111, 115, 116 and 122 of the Political Constitution of the United Mexican States (PCUMS) with the following objectives:

1. Provide the country with an electoral system that provides security, respect for the vote, honesty and legality.
2. Establish honest and impartial administrative and jurisdictional authorities that stay out of the power struggle.
3. Guarantee political freedom for all citizens, without censorship.
4. To build a national arena in which independent parties and independent candidacies have guarantees for their free participation in the struggle for political power.
5. Form a single national electoral mechanism with single administrative and judicial institutions, under the principle of republican austerity.
6. To elect by secret, direct and universal ballot the highest administrative and jurisdictional electoral authorities, by nomination of candidates for office in the powers of the Union.
7. To elect both chambers of the Congress of the Union by voting in each of the federal entities, using the method of lists nominated by the parties and independent candidacies. This is the most pluralistic proportional representation mechanism ever proposed in the history of the Mexican political system.

8. 200 federal deputies and 32 senators are eliminated, leaving 300 members in the Chamber of Deputies and 96 in the Senate.
9. In the states and municipalities, congresses and municipal councils shall be governed by the same principle of lists nominated in a single district covering the entire territory of the respective state or municipality.
10. Limit political party funding to campaign expenses only and abolish the so-called ordinary funding given to political parties on a monthly basis each year; at the same time, regulate the contributions of individuals to parties and the use of such resources by parties.

I. Financing of Political Parties (Article 41, PCUMS)

One of the issues that arouses the most indignation in public opinion is the millionaire amount of public funds that year after year are handed over to the national and local political parties for the support of their structures and the obtaining of votes.

Every year, the Mexican state spends more than 11 billion pesos in public subsidies for the ordinary activities of political parties (staff, real estate and personal property) for the maintenance of bureaucratic apparatuses.

When the system of annual party funding was introduced, the aim was to stop surreptitious transfers of public money to the official party, the main element of inequality with respect to other political expressions.

Public financing of political parties for their use in electoral campaigns and acts aimed at obtaining votes has become an indispensable requirement to guarantee fair and equitable contests. However, the maintenance of their bureaucratic structure during non-electoral times has never been socially justified, given the proliferation of party elites alien to the public interest and citizen representation. According to the Civic Survey conducted every four years by the National Institute of Statistics and Geography (INEGI)¹, in 2020 political parties were the most discredited public institution, among other reasons due to the economic cost they represent for Mexican society.

A democratic party system is based on political parties whose legitimacy and capacity for political action are based on social support, the product of their programmatic proposals, that is, on their ability to obtain citizen support as the only viable condition for the exercise of power.

For this reason, the present initiative proposes to eliminate public funding for political parties for their ordinary activities, and to have them cover these expenses through funding from their supporters and militants. The objective is to reduce the high cost that political parties represent to the treasury and to force them to become self-sustainable institutions through such financing contributions, legally monitored. Public funding would be maintained only for campaign spending during the election campaign.

It is also proposed to maintain the current formula for the distribution of public funding to political parties; however, these resources will only be delivered during campaign periods.

¹ INEGI National Civic Culture Survey. Mexico 2020

This represents a decrease of more than 66 per cent of public funding compared to what is currently spent. This is due to the need to ensure that our party regime does not generate unjustified and inconsistent costs.

Regarding the obtaining of private resources, both for the support of their ordinary activities and to cover campaign expenses during electoral processes, precise rules are established, ordering political parties to identify and report the source of all resources obtained, without exceeding the ceilings indicated in the legislation; The resources provided will not be tax-deductible; it is prohibited for the same individual to donate in a calendar year to more than one party or independent candidacy and for resources obtained for the support of ordinary activities to be applied to campaign expenses or to the payment of debts incurred to cover previous electoral processes.

To the above must be added the ordinary funding to local political parties, which is represented in the table below:

Ordinary funding to local political parties, 2021

State	Ordinary funding
Aguascalientes	\$60,361,446.46
Baja California	\$171,297,839.75
Baja California Sur	\$32,930,712.17
Campeche	\$75,487,782.00
Coahuila	\$130,777,751.99
Colima	\$33,054,383.28
Chiapas	\$222,713,240.22
Chihuahua	\$167,981,846.00
Mexico City	\$458,781,834.75

Durango	\$80,265,995.21
Guanajuato	\$168,756,754.27
Guerrero	\$150,686,356.00
Hidalgo	\$182,188,193.88
Jalisco	\$242,328,867.73
Mexico	\$780,871,057.42
Michoacán	\$231,981,618.62
Morelos	\$75,816,000.00
Nayarit	\$53,290,601.69
Nuevo León	\$255,315,286.15
Oaxaca	\$176,289,897.00
Puebla	\$281,762,071.60
Querétaro	\$102,697,184.60
Quintana Roo	\$48,833,992.35
San Luis Potosí	\$123,428,029.20
Sinaloa	\$141,709,492.00
Sonora	\$129,089,638.00
Tabasco	\$51,490,292.72
Tamaulipas	\$162,089,654.00
Tlaxcala	\$57,459,594.00
Veracruz	\$352,434,786.00
Yucatan	\$97,752,320.46
Zacatecas	\$73,504,858.71
Total	\$5,297,613,378.23

Sources: Local Public Bodies.²

² https://www.ieeags.mx/media/sesiones/2022-04-18/CG-A-02/22/5_CG-A-02-22_Acuerdo_Distribuci%C3%B3n_Financiamiento_PP_2022.pdf
<https://www.ieebc.mx/archivos/sesiones/sesiones2022/ext/dict/Dictamen7crppyf.pdf>
<https://www.ieebcs.org.mx/documentos/acuerdos/IEEBCS-CG021-FEBRERO-2022.pdf?nocache=1649289600091>
https://www.ieec.orgmx/Documentacion/AcuerdosActas/2022/Enero/2a_ext/CG_0052022.pdf
<http://www.iec.org.mx/v1/archivos/acuerdos/2021/1EC.CG.155.2021.%20Acuerdo%20relativo%20a%201a%20distribucion%20de%20Financiamiento%20Pu%CC%CC%131blico%20para%20e1%20ejercicio%202022.pdf>

II. Parties' access to radio and television for electoral purposes (Article 41, PCUMS)

The access of political parties to the media arose with the political reform of 1977, which granted them, on a permanent basis, 15 minutes a month in the media, for each party at preferential times.

Between 1985 and 1987 media time increased to 60 minutes per month for each party, divided into two weekly to 60 minutes per month for each match, divided into two weekly programmes of 15 minutes each. Although this allocation was uneven across channels and prime time slots, it had the advantage that, by broadcasting long programmes, it allowed relevant aspects of the parties' political platforms to be communicated.

<https://ieecolima.mx/acuerdos2022/ACUERD00081P.pdf>
http://sesiones_iepc-chiapas.org.mx/docs/732/ACUERDO%20IEPC.CG-A.007.2022.pdf
<https://www.ieechihuahua.org.mx/public/estrados/0/1/6550.pdf> <https://www.iecm.mx/www/taiplca/acu/2022/1ECM-ACU-CG-002-2022.pdf> https://-iepcdurango.mx/IEPC_DURANGO/consejogeneral_documentacion_2021/1EPC_CG180_2021_Calendario_Presupuestal.pdf
<https://www.teeg.mx/documentos/211020-extra-ii-acuerdo-326-pdf/>
<https://iepcgro.mx/principal/uploads/gaceta/2021/8ord/acuerdo219.pdf>
<http://ieehidalgo.org.mx/images/sesiones/2021/octubre/28102021/IEEHCG1642021.pdf>
<http://ieehidalgo.org.mx/images/sesiones/2021/octubre/28102021/IEEHCG1642021.pdf>
<http://www.iepcialisco.org.mx/sites/default/files/sesiones-de-consejo/consejo%20genera1/2021-12-20/03-iepc-acq-398-2021-acu-financpartpolvp.pdf>
https://www.ieem.org.mx/consejo-general/cg/2022/AC_22/a002_22.pdf
[http://www.iern.org.mx/document&s/acuerdos/2022/1EM-CG-001-2022 Agreement%20CG%20That%20approves%20e1%20Schedule%20of%20prerogatives%20of%20the%20parties%20p01%20C01-0'r-2022.pdf](http://www.iern.org.mx/document&s/acuerdos/2022/1EM-CG-001-2022%20Agreement%20CG%20That%20approves%20e1%20Schedule%20of%20prerogatives%20of%20the%20parties%20p01%20C01-0'r-2022.pdf)
<http://impepac.mx/wp-content/uploads/2014/11/InfOficial/Acuerdos/2022101^020Jan/A-023-S-E-E-U-14-01-22.pdf>
<https://ieenayarit.org/PDF/2022/Acuerdos/IEEN-CLE-005-2022.pdf> <https://www.ceenl.mx/sesiones/2022/acuerdos/CEE-CG-27-2022.pdf>
<https://www.ceenl.mx/sesiones/2022/acuerdos/CEE-CG-27-2022.pdf>
<https://www.ieepco.org.mx/archivos/acuerdos/2022/IEEPCOCGO042022.pdf>
https://www.ieepuebla.org.mx/2021/acuerdos/CG/CG_AC129_2021.pdf
https://ieeq.mx/contenido/cg/acuerdos/a_14_Ene_2022_2.pdf
<https://www.legroo.org.mx/2018/Sesiones-ConsejoGeneral.html>
http://www.ceepacslp.org.mx/ceepac/uploads2/files/3_%20PUNTO%203_%20FINANCIAMIENTO%20DE%20PRERROGATIVAS%20DE%20OPP.PDF
<https://www.ieesin aloa.mx/wp-content/uploads/rtransparencia/Prerrogativas/Fommtos2022/FinanciamientoPUBLICOaprobado2022.pdf>
<https://www.ieesonora.org.mx/documentos/acuerdos/CG12-2022.pdf>
<http://iepct.mx/docs/acuerdos/CE-2021-092.pdf>
https://ietam.org.mx/portal/Documentos/Sesiones/ACUERDO_A_CG_03_2022.pdf
<https://www.itetlax.org.mx/ite2020/acuerdos/2022/PDF/Enero/ACUERDO%201TE-CG%2006-2022^020REDISTRIBUTION%20DE%20PRERROGATIVAS%20DE%20PARTIDOS%20POLITICOS.pdf>
https://www.oplever.org.mx/wp-content/uploads/gacetaselectorales/acuerdos2022/OPLEV_CG061_2022.pdf <https://www.iepac.mx/public/documentos-del-consejo-general/acuerdoshepac/2021/ACUERDO-C.d.137-2021.pdf> [https://ieez.org](https://ieez.org>Anx/MJ/acuerdos/sesiones/14012022_2/acuerdos/ACGIEEZ0011X2022.pdf?1651079507)
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In 1990, allocation criteria were introduced based on the electoral strength of each party, which was allowed to contract additional time with concessionaires, but through the Federal Electoral Institute (IFE). This rule was clarified in 1993, when media coverage of campaigns began to be regulated through IFE monitoring. In 1996, the current mechanism for the allocation of official time arose, but the purchase of commercial advertising segments by individuals and parties was still allowed, until, after 2006, with the great electoral crisis unleashed at that time, the current communication model was outlined, which includes the prohibition for anyone to contract radio and television time for electoral and political propaganda purposes and the prohibition of negative propaganda.

Prior to this model, the lack of regulation went to the extreme by allowing companies or supposed associations to contract time in the mass media for the dissemination of negative campaigns. Likewise, public servants abused the dissemination of propaganda paid for with public funds during election season, in order to position future candidacies with messages unrelated to the services or objectives of public institutions.

In view of the above, the present reform proposes a new model of political communication that focuses on the access of political parties and independent candidates to radio and television, through official state time. Its objective is to ensure the effective broadcasting of proactive party messages. To this end, messages with a duration of no less than one minute will be broadcast. In this sense, from the beginning of the process until Election Day, 30 minutes per day on each radio station and television channel will be allocated to political parties, independent candidacies and the National Institute for Elections and Consultations (INEC). Ninety per cent of this time will be allocated to the first two and 10 per cent to the Institute for the broadcasting of informative messages related to the electoral contest. The time allocated to parties and independent candidacies will be distributed according to the criteria currently in force, according to which 30% is distributed equally among political parties and 70% is distributed according to their performance in the election for federal deputies. Newly registered political parties will only participate in the 30% distribution on an equal basis, and the rule prohibiting any person, including parties, pre-candidacies and candidacies, from acquiring radio and television time on their own or through third parties will be maintained.

In accordance with the above, during the pre-campaigns, political parties will have one minute for each hour of transmission on each radio station and television channel to broadcast their internal processes, time that will be allocated by the electoral authority in accordance with the provisions of the law, i.e. 18 of the 27 minutes that correspond to the parties will be used to broadcast pre-candidacy proposals; the remaining nine minutes will be distributed among the parties for the broadcasting of programmatic messages. In the inter-campaign period, i.e. between the end of the pre-campaigns and the beginning of the campaigns, the 27 minutes will be used to broadcast programmatic messages of the political parties. Finally, in the period known as the closed period, between the end of the campaigns and Election Day, no party or independent candidate propaganda will be broadcast.

As far as non-election time is concerned, parties' access to radio and television remains guaranteed by allocating 12% of the State's total time to political parties.

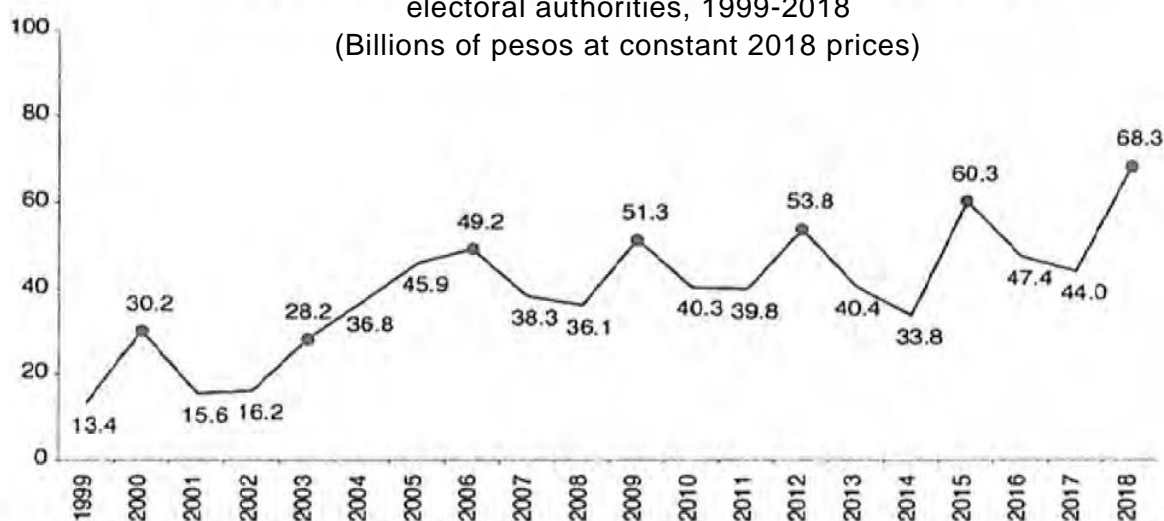
Finally, it is worth mentioning that, with regard to the suspension of government propaganda during election time, it is specified, in the sense in which the Congress of the Union has interpreted it, that it refers to propaganda contracted with public resources by the obligated parties in accordance with Article 134 of the Constitution and its regulatory law.

III. Unification of the administrative and jurisdictional electoral authorities, and extinction of local public bodies and electoral tribunals of the federative the federative entities (Articles 41, 73, 99, 105, 110, 111, 116 and 122, PCUMS)

This proposal seeks to strengthen democracy and guarantee compliance with the will of the people. The administrative and jurisdictional electoral authorities must be independent of political power, political parties and economic groups. In recent years, the actions of these authorities have been characterised by their lack of adherence to the principles of objectivity, independence and impartiality that are inherent to the electoral function. The culminating point of this crisis of authority was the role played by the National Electoral Institute (INE) and the Electoral Tribunal of the Judiciary of the Federation (TEPJF) during the recall process.

Furthermore, a serious problem of the Mexican political system is the cost of operation of its electoral processes, supposedly justified by their complexity. In 1999 a budget of 13.4 billion pesos was allocated, while in 2018 it had a budget of 68.3 billion pesos, which represents a growth of 409% in less than 20 years.

Figure 1. Budget of all federal and local electoral authorities
electoral authorities, 1999-2018
(Billions of pesos at constant 2018 prices)



Source: Moreno Zepeda, Gabriel. "El costo presupuestario de la democracia electoral en México", *Integralia Consultores*. Note: Marks are federal election years.

³ Available at: <https://1.integralia.com.mx/web/wp-content/uploads/2021/09/Terna4-Subl.pdf>.

This initiative proposes to initiate a new electoral era for the country. It proposes to transform the electoral institutions by abolishing INE and creating in its place the National Institute of Elections and Consultations (INEC) as an independent electoral authority guaranteeing the guiding principles of the electoral function, as it should always have been. Similarly, it is proposed to strengthen the TEPJF.

The INEC would be the sole electoral administrative authority in the country. Its functions would absorb those of the local public bodies (OPL), i.e. it would organise all electoral processes in the republic, at national, state and municipal levels. In addition, it is proposed that it would carry out the exercises of direct democracy provided for in the Constitution and laws.

It is worth mentioning that INE, from its creation to date, has increasingly exercised its power of attraction over the functions of the OPLs, to the extent of carrying out or verifying practically all significant activities that formally correspond to these bodies, except for the investigation and substantiation of complaints; the registration of candidates; and the counting and declaration of validity. Having a single administrative authority will contribute to greater certainty and harmonisation of electoral and citizen participation processes.

INE is currently organised through four central bodies (the General Council as the highest decision-making body and its presidency, the General Executive Board, the Executive Secretariat and the internal control body), six executive directorates (of the Federal Register of Voters, of the National Electoral Professional Service, of Prerogatives and Political Parties, of Electoral Training and Civic Education, Electoral Organisation and Administration), ten technical units (social communication, gender equality and non-discrimination, international affairs, electoral litigation, IT services, liaison with OPL, legal, auditing, secretariat, transparency and protection of personal data), and delegate and oversight bodies in each of the federal entities (delegates: local executive boards, local councils, district executive boards and district councils, and oversight: a national oversight commission, 32 local and 300 district commissions, and working groups). In addition to this complex structure, there are permanent and temporary commissions, committees and working groups of the General Council, which make INE a large, bureaucratic and grossly inefficient autonomous body to fulfil its main task: to guarantee free, genuine and democratic elections. The present initiative proposes to abolish the constituencies and along with them the district electoral structure. The new INEC will be made up of temporary and auxiliary bodies, especially during election periods, which will concentrate the functions that have been fragmented into innumerable administrative units, in order to have the indispensable structure to guarantee the functions assigned in the legislation.

In conclusion, by making INEC a single, truly national body with clearly delineated functions, our democratic system is strengthened, providing citizens and political parties with greater legal certainty, clarity in the processes and efficiency in the development of functions. This unifies decision-making in different related processes and guarantees their correct development, as well as eliminating the considerable resources that are currently spent on the structures of electoral bodies.

It suffices to note that, in addition to what is allocated to INE, more than 13 billion pesos are spent each year to support the OPLs, as can be seen in the following table, which considers the 2021 budgets, including extensions:

Budget allocated to local political electoral bodies, 2021

State Total	Authorised budget	Enlargement budget	Enlargement budget
Aguascalientes	83,755,000	19,798,092	103,553,092
Baja California	289,743,462	-	289,743,462
Baja California Sur	137,970,864	-	137,970,864
Campeche	183,544,657	-	183,544,657
Coahuila	311,061,327	-	311,061,327
Colima	100,312,751	-	100,312,751
Chiapas	574,881,273	-	574,881,273
Chihuahua	415,209,662	-	415,209,662
CDMX	993,047,494	100,000,000	1,093,047,494
Durango	97,756,623	32,919,163	130,675,786
Guanajuato	486,663,837	-	486,663,837
Guerrero	404,198,703	15,000,000	419,198,703
Hidalgo	393,602,483	-	393,602,483
Jalisco	515,628,455	32,140,550	547,769,005
México	2,061,454,801	-	2,061,454,801
Michoacán de Ocampo	347,566,873	-	347,566,873
Morelos	62,072,000	96,034,642	158,106,642
Nayarit	182,272,191	-	182,272,191
Nuevo León	583,607,488	50,000,000	633,607,488
Oaxaca	54,724,618	279,900,000	334,624,618
Puebla	74,625,206	500,000,000	574,625,206
Querétaro	295,367,304	-	295,367,304
Quintana Roo	292,370,596	-	292,370,596
San Luis Potosí	187,146,305	-	187,146,305
Sinaloa	240,130,197	52,000,000	292,130,197
Sonora	353,391,639	-	353,391,639
Tabasco	333,000,000	-	333,000,000
Tamaulipas	327,128,484	-	327,128,484
Tlaxcala	102,942,635	13,000,000	115,942,635
Veracruz	769,687,549	352,000,000	1,121,687,549
Yucatán	208,766,745	-	208,766,745
Zacatecas	223,061,154	32,429,135	255,490,289
TOTAL	11,686,692,375	1,575,221,582	13,261,913,957

Source: INE-UTVOPL, Budgetary Situation of Local Public Bodies, 16 March 2022.⁴

In addition to the gigantism of local electoral bodies, the irrelevance of local courts in electoral matters must be added: as a first instance, they do not provide certainty to electoral processes. The federal judiciary finally resolves almost any contested act in local elections. For this reason, it is proposed that the TEPJF absorb the country's local electoral controversies.

IV. Conformation of the National Institute of Elections and Consultations and the Superior Chamber of the Electoral Tribunal of the Federal Judiciary (Articles 41 and 99, PCUMS).

Since their beginnings, the current INE and TEPJF have been made up of party quotas and co-opted by power groups, to the detriment of their impartiality in favour of democracy. This initiative seeks to vindicate the citizenry as the source of power and representation of these key institutions in the functioning of the country's formal powers.

A new scheme is now proposed that involves the three branches of government in the determination of the heads of these bodies. On the basis of candidacies presented by the Chambers of Deputies and Senators, the Supreme Court of Justice of the Nation and the head of the Federal Executive, it is proposed that the popular vote will decide the composition of the Superior Chamber of the TEPJF and the General Council of the INEC. These positions will be held for a non-extendable period of six years. The election day to define the incumbents of these bodies would be held on the first Sunday of August, every six years, with the exception of the first election day.

The Chamber of Deputies will issue the call for the election of the persons in charge of the electoral councils of INEC; the Senate of the Republic will issue the call for the election of magistrates. Each of the powers of the Union shall nominate 20 persons on a parity basis for membership of the INEC General Council; and to 10 for the judgeships. In both cases, INEC would organise the election process.

During the campaign, candidates will have the right to equal access to radio and television with the total time allocated to political parties plus a further amount taken from the rest of the official time, in order to present their proposals and work programme. Likewise, it establishes INEC's obligation to organise debate forums in times provided free of charge by the media, under the principle of equity. Now, in congruence with the propaganda rules governing the parties, it is proposed to prohibit the contracting of radio and television spaces by individuals or legal entities, in order to avoid undue interference that would undermine the impartiality that both bodies must have, and political parties are prohibited from carrying out acts of proselytising and broadcasting propaganda in favour of or against any candidacy.

⁴ Document available at:

<https://repositoriodocumental.ine.mx/xmlui/bitstreamMandle/123456789/131077/CGex202203-l8-ip-9.pdf?sequence=1&isAllowed=and> last accessed on 16 April 202

Once the voting day is over, INEC will carry out the election counts and communicate them to the corresponding Chamber so that it can make and publish the sum; the latter will forward it to the Supreme Court of Justice of the Nation, which will have the power to resolve the challenges, qualify the process and declare the results.

For the INEC, seven female councillors will be elected, and the chair of the body will be the one who has obtained the highest number of votes. As for the Superior Chamber of the TEPJF, seven magistrates will also be elected; the presidency will be defined by election of its members and will be held for a period of two years. In the event of the absolute absence of a councillor or magistrate, the Chamber that called for their election will designate the person who is to replace them.

V. Election by list system by federal entity and reduction of the number of male and female legislators (Articles 51, 52, 53, 54, 55, 56, 56, 60, 63, 116 and 122, CPUMS).

The crisis of political representation is one of the main characteristics of so-called contemporary democracies. In Mexico, for decades, the legitimacy of legislators in general, but especially of multi-member legislators, has been questioned. This initiative proposes an election method that seeks to improve citizen representation in the Chambers of the Congress of the Union by reducing the number of members and electing them by means of a single list per state.

The Chamber of Deputies would be made up of 300 seats, i.e. 200 would be eliminated. The Senate of the Republic would be made up of 96 seats, going from 128 to 96. The application of this method would result in the broadest plural representation in the country's history.

The election by lists would oblige candidates to campaign territorially, as opposed to the current five lists of multi-member constituencies. When voting in each entity, the lists would be composed of persons born in the federal entity or residents with at least one year of domicile.

Proposal of the Chamber of Deputies by federal entity				
	Population	% Population	MPs to be elected	MPs
Aguascalientes	1,425,607	1.10%	3	1%
Baja California	3,769,020	3.00%	9	3%
Baja California Sur	798,447	0.60%	2	0.66%
Campeche	928,363	0.70%	2	0.66%
Chiapas	5,543,828	4.40%	13	4.33%
Chihuahua	3,741,869	3.00%	9	3%
Ciudad de México	9,209,944	7.30%	22	7.33%
Coahuila	3,146,771	2.50%	8	2.66%
Colima	731,391	0.60%	2	0.66%
Durango	1,832,650	1.50%	4	1.33%
Estado de México	16,992,418	13.50%	40	13.33%
Guanajuato	6,166,934	4.90%	15	5%
Guerrero	3,540,685	2.80%	8	2.66%

Hidalgo	3,082,841	2.40%	7	2.33%
Jalisco	8,348,151	6.60%	20	6.66%
Michoacán	4,748,846	3.80%	11	3.66%
Morelos	1,971,520	1.60%	5	1.66%
Nayarit	1,235,456	1.00%	3	1%
Nuevo León	5,784,442	4.60%	14	4.66%
Oaxaca	4,132,148	3.30%	10	3.33%
Puebla	6,583,278	5.20%	16	5.33%
Querétaro	2,368,467	1.90%	6	2%
Quintana Roo	1,857,985	1.50%	4	1.33%
San Luis Potosí	2,822,255	2.20%	7	2.33%
Sinaloa	3,026,943	2.40%	7	2.33%
Sonora	2,944,840	2.30%	7	2.33%
Tabasco	2,402,598	1.90%	6	2%
Tamaulipas	3,527,735	2.80%	8	2.66%
Tlaxcala	1,342,977	1.10%	3	1%
Veracruz	8,062,579	6.40%	19	6.33%
Yucatán	2,320,898	1.80%	6	2%
Zacatecas	1,622,138	1.30%	4	1.33%
Total	126,014,024	100%	300	100%

Natural allocation ratio:

Total population (126,014,024) / seats to be elected (300) = 420,046.747

Source: Own elaboration with data from INEGI. Population and Housing Census 2020

The Chamber of Deputies shall be composed of male and female deputies elected through the system of lists voted in each of the federative entities. To determine the number of seats in each state, the total number of Mexican citizens, as determined by the latest general population census, shall be divided by the total number of deputies (300); the result of this operation shall be the distribution quotient, the basis for assigning the number of deputies that will correspond to each state out of the total of 300.

According to Mexican law, every federal entity must have at least two deputations, so that if this number is not reached, priority will be given in the distribution of remainders until it is obtained; the remaining remainders will be distributed among the entities according to the method of the largest remainder. In this way, and in accordance with the current figures, the distribution of seats to be assigned to each state would be as follows:

The Senate of the Republic will be made up of 96 senatorial seats -three for each state- also elected by list, by natural quotient and major remainder. Independent candidates for the Senate would participate in each state, as in the case of the election of deputies, in order to guarantee the right to passive voting.

In the composition of both Houses, the principle of gender parity will be observed, for which all lists will be composed alternately of women and men; the gender that heads the lists of each party in the federal entities will also be alternated each election period. Furthermore, the rule according to which each ticket shall be composed of persons of the same gender, both for the election of deputies and senators, is elevated to constitutional rank.

As shown in the table below, compared to the average population/representative ratio in the world. Mexico has a high proportion of popular representatives. While in our country one deputy is elected for every 252,000 inhabitants, in India one is elected for every 2 million 524,275 inhabitants, and in the United States, one for every 765,287. Likewise, Mexico has one senator for every 984,375 inhabitants, while India has one for every 5 million 573,600, and the United States, one for every 3 million 329,000 inhabitants.

This high number of representatives in Mexico has not translated into a better democracy, into a closer relationship between representatives and the people they represent, nor into a greater number of laws that address the most pressing needs of Mexican society.

In the present initiative, it is proposed to have one deputy for every 420,000 inhabitants and one senator for every 1,312,500 inhabitants. 420,000 inhabitants and one senate for every 1,312,500 inhabitants. Even so, we would be above the ratio of representatives to population in the above-mentioned countries.

In the world			
Country	Inhabitants (millions)	Deputations	Senate
China	1,444.2	2987	
India	1,393.4	552	
United States	332.9	435	100
Indonesia	276.4	560	
Pakistan	225.2	336	104
Brazil	214	513	81
Nigeria	211.4	360	109
Bangladesh	166.3	345	
Russia	145.9	450	
Japan	126,1		242
Mexico	126		

Source: Own elaboration based on "Anexo' Congresos y Parlamentos por País", from *Expansión*.⁵

VI. Electronic Voting (Article 35, PCUMS)

This initiative also proposes to take advantage of information and communication technologies to facilitate citizen participation in elections and popular consultations.

Mexico has a barely sufficient legal basis to receive votes digitally, and in fact, at the local level, Mexico City, Coahuila, the State of Mexico and Jalisco have already held elections and consultations in this way.

It should be noted that, before implementing a fully electronic voting system, various technologies such as certification, authentication and encryption mechanisms, as well as hybrid models that combine documentary witnesses with information and communication technologies, will have to be tested to achieve mechanisms that provide certainty to citizens in the respect and counting of each and every vote.

In this sense, the guarantee of the use of information and communication technologies to cast votes is elevated to constitutional rank, thereby making the exercise of this right more effective and accessible.

VII. Reduction of members of local congresses, city councils and mayoralties (Articles 115, 116 and 122, PCUMS).

As in the method for the integration of the Federal Legislative Branch, this initiative proposes to establish a population criterion for the definition of the number of representatives in each of the local congresses, as well as in the city councils and mayoralties of Mexico City.

With regard to the legislatures of the states, it is proposed to establish the following ceilings in the definition of their members: the number of representatives in the state legislatures may not exceed 15 deputies in those states whose population is less than 1 million people, and for each additional 500,000 inhabitants, it may be increased by one deputy, up to a maximum of 45 deputies.

In this way, and in accordance with the population that each state has, considering the data from the 2020 general population census, the number of members that each Chamber currently has is contrasted with the number of members that it would have under this proposal:

Entity Councils	Population 2020	Departments	Department proposals	County reduced
Colima	731,391	25	15	-10
Baja California Sur	798,447	21	15	-6

Campeche	928,363	35	15	-20
Nayarit	1,235,456	30	15	-15
Tlaxcala	1,342,977	25	15	-10
Aguascalientes	1,425,607	27	15	-12
Zacatecas	1,622,138	30	16	-14
Durango	1,832,650	25	16	-9
Quintana Roo	1,857,985	25	16	-9
Morelos	1,971,520	20	16	-4
Yucatán	2,320,898	25	17	-8
Querétaro	2,368,467	25	17	-8
Tabasco	2,402,598	35	17	-18
San Luis Potosí	2,822,255	27	18	-9
Sonora	2,944,840	33	18	-15
Sinaloa	3,026,943	40	19	-21
Hidalgo	3,082,841	30	19	-11
Coahuila	3,146,771	25	19	-6
Tamaulipas	3,527,735	36	20	-16
Guerrero	3,540,685	46	20	-26
Chihuahua	3,741,869	33	20	-13
Baja California	3,769,020	25	20	-5
Oaxaca	4,132,148	42	21	-21
Michoacán	4,748,846	40	22	-18
Chiapas	5,543,828	40	24	-16
Nuevo León	5,784,442	42	24	-18
Guanajuato	6,166,934	36	25	-11
Puebla	6,583,278	41	26	-15
Veracruz	8,062,579	50	29	-21
Jalisco	8,348,151	38	29	-9
Ciudad de México	9,209,944	66	31	-35
Estado de México	16,992,418	75	45	-30
Total:	126,014,024	1,113	654	-459

Source: Own elaboration based on local constitute

Now, in relation to the municipalities and territorial districts of Mexico City, the same population criterion should prevail in the composition of the city councils and mayoralties, and it is therefore proposed to reform Article 115 to define as the basic structure of the city councils: a municipal presidency, a "sindicatura" and a variable number of "regidurías" in accordance with the municipality's population, as well as a mayor and a council, in the case of the territorial districts of Mexico City, observing the following rules:

1. One council seat shall be allocated to municipalities with a population of less than 60,000 inhabitants;
2. Up to three regidurias shall correspond to municipalities with a population of more than 60,000 and less than 370,000 inhabitants;
3. Up to five regidurias shall be allocated to municipalities with a population of more than 370,000 and less than 690,000 inhabitants;
4. Up to seven regidurias will correspond to municipalities with a population of more than 690,000 and less than 1 million 10,000 inhabitants, and
5. Up to nine regidurias shall be allocated to municipalities with a population of more than 1 million 10,000 inhabitants.

The same rule shall apply for the determination of the number of councillors in the territorial districts of Mexico City.

In conclusion, if the present initiative is approved, Mexico will have an electoral system that provides citizens with a reliable representation and plurality of its political spectrum, guaranteeing greater equity, balance of power, certainty in electoral processes, authenticity of elections and exercises of direct democracy; austerity and efficiency in public spending, as well as the application of the guiding principles of the electoral function: impartiality, independence, legality, objectivity, certainty and maximum publicity. The expected result is to have credible representatives of society's interests.

The Mexican electoral, administrative and jurisdictional institutions should be up to the expectations and needs of the Mexican people.

For the foregoing reasons, in exercise of the power conferred by Article 71, section I, of the Political Constitution of the United Mexican States, the following initiative is submitted for the consideration of this Sovereignty, with Draft Bill.

DECREE REFORMING, REPEALING AND ADDING VARIOUS ARTICLES OF THE POLITICAL CONSTITUTION OF THE UNITED MEXICAN STATES IN ELECTORAL MATTERS

Sole Article. Articles 35, sections VII, **VIII**, paragraphs 4 and 6, IX, paragraphs 1, 2, 1 o., paragraph 1, paragraph 1, paragraph 1, 4, 5 and 7 are **amended**, 5th and 7th second and last paragraphs; 41, third paragraph, base I; third paragraph, base II; base III, first paragraph, subparagraph A, first and last paragraphs, subparagraph B, first and last paragraphs, subparagraph C, last paragraph, and subparagraph D; base IV, second paragraph, base V, first paragraph, subparagraph A, subparagraph B, first paragraph, subparagraph C, last paragraph, and subparagraph D; base IV, second paragraph; Basis V, first paragraph, subparagraph A, first, second, third, fourth, fifth, subparagraphs (a), (b), (c) and (d), sixth, ninth and tenth subparagraphs, subparagraph B, first subparagraph, subparagraphs (a), (1), (2), (3), (4) and (5), and (c), first, second and third subparagraphs, and subparagraph D; base VI, first, second and fourth paragraphs; 51; 52; 53, first paragraph; 54; 55, first paragraph, sections I, III, IV and V, second paragraph; 56, first and second paragraphs; 60, first and second paragraphs; 63, first paragraph; 73, sections XXI(a), XXIX-Q and XXIX-U, 99, fourth paragraphs, sections I, IV, VII, VIII and IX, eleventh, twelfth, twelfth, thirteenth and fourteenth paragraphs; 105, section II, second paragraph, (f) and fourth paragraph; 110, first paragraph; 111, first paragraph; 115, section I, first paragraph; 116, second paragraph, Sections II, first and third paragraphs, IV, first paragraph, points (a), (b), (e), (f), (g), (n) and (p), and 122(A), Sections II, first and second paragraphs, and VI, third paragraph, point (a), a second paragraph is **added** to Article 35, and to Section IX thereof a third paragraph is **added to Article 35**, a third paragraph, to Article 41(V)(B)(a), (8), (9), (10), (11), (12), (13) and (14), and to Article 115(I), the second paragraph, and **repealing** from Article 35(IX), second paragraph, (80)Article 41, third paragraph, base V, paragraph A, fifth subparagraph, point (e), and last subparagraph, paragraph B, first subparagraph, points (a), (6) and (7), (b) and last subparagraph, and paragraph C; Article 53, second paragraph; Article 55, section III, second paragraph; of Article 99, fourth paragraph, section V, and of Article 116, second paragraph, section IV, subparagraphs c), d), h), i), j), k), l), m), and o), of the Political Constitution of the United Mexican States, to read as follows:

Article 35.

I. to VI....

VII. to initiate laws, under the terms and with the requirements set out in this Constitution and the Law of Congress. The National Institute of Elections and Consultations shall have the powers granted to it by law in this area;

VIII.... 1 a 3

4. The National Institute for Elections and Consultations shall be directly responsible for verifying the requirement established in paragraph 1(c) of this section, as well as for the organisation, dissemination, development, counting and declaration of results.

The Institute will promote citizen participation in the popular consultations and will be the only body in charge of disseminating them. The promotion shall be impartial and shall in no way be aimed at influencing the preferences of citizens, but shall focus on promoting informed discussion and citizen reflection. No other natural or legal person, whether in their own name or on behalf of third parties, may contract radio and television advertising aimed at influencing the opinion of citizens on the popular consultations.

During the period of the referendum process, from the announcement of the referendum until the end of the day, the broadcasting in the media of all government propaganda of any order of government shall be suspended, except for those aimed at disseminating information campaigns of the electoral authorities, those related to public services, or those necessary for civil protection in cases of emergency;

5. ..

6. Resolutions of the National Institute for Elections and Consultations may be challenged under the terms of Article 41, section VI and Article 99, section III of this Constitution.

The right to participate in the popular consultations of the federative entities may be exercised in accordance with the provisions of this section, including their organisation and qualification, when so determined by the call issued by the corresponding local legislative branch.

7.

IX. Participate in mandate revocation processes, in accordance with the single legislation issued for this purpose by the Congress of the Union.

1. It shall be convened by the National Institute of Elections and Consultations at the request of citizens, in a number equivalent to at least three percent of those registered on the nominal list of voters, provided that the request corresponds to at least seventeen states and that they represent at least three percent of the nominal list of voters in each of them.

2 and 3 ...

4. For the recall process to be valid, at least thirty-three percent of those registered on the nominal list of voters must participate. The revocation of a mandate shall only proceed by an absolute majority

The National Institute of Elections and Consultations shall be directly responsible for the organisation, development and counting of the vote. It shall issue the results of the recall processes of the incumbent of the Federal Executive Power, which may be challenged before

the Superior Chamber of the Electoral Tribunal of the Judiciary of the Federation, under the terms of the provisions of section VI of Article 41 and section III of Article 99 of this Constitution.

6...

7. ..

The Institute shall promote citizen participation and shall be solely responsible for their dissemination. Promotion shall be objective, impartial and informative.

...

...

The public authorities, autonomous bodies, agencies and entities of the public administration and any other entity of the three levels of government may only disseminate information campaigns related to public services or those necessary for civil protection.

8. Repealed.

The recall processes in the federal entities shall be convened by the local legislature, based, as applicable, on the second paragraph of this section.

The exercise of the vote referred to in sections I, VIII and IX of this article may take advantage of information and communication technologies in accordance with the provisions of the law.

Article 41.

...

...

I.

...

The electoral authorities may only intervene in the internal affairs of political parties for the purpose of reinstatement of procedures for violations of their internal regulations or of citizens' rights. In no case may they rule on the appointment of leaders and candidates. The law shall establish the rules and procedures relating to this provision.

II. The resources of national and local political parties destined to sustain their ordinary permanent activities shall originate exclusively from contributions from Mexican individuals in the manner and within the limits set forth in this Constitution and the law. The resources destined to their electoral campaigns shall come from public financing, as well as from

contributions from Mexican individuals in the manner and within the limits provided for in this Constitution and the law.

The financing of independent candidacies shall be exclusively for the purpose of their electoral campaigns and shall come from public resources and contributions from Mexican individuals, observing the provisions of this base. An independent candidacy is understood to be both the complete list and the person aspiring to a single-member office.

Public funding for national political parties and independent candidacies will be made up of the ministrations destined to sustain their campaign activities aimed at obtaining the vote during federal electoral processes. It shall be granted in accordance with the following and with the provisions of the law:

a) In the year in which deputies are elected, it shall be determined by multiplying the total number of citizens who make up the nominal list of electors by sixty-five percent of the daily value of the Unidad de Medida y Actualización (Unit of Measurement and Updating). Thirty per cent of the amount resulting from the above shall be distributed among the political parties equally, and the remaining seventy per cent shall be distributed according to the percentage of votes they obtained in the immediately preceding election;

b) In the year in which deputies, senators and the Presidency of the Republic are elected, it will be set by multiplying the total number of citizens that make up the nominal voters' list by the daily value of the Unidad de Medida y Actualización (Unit of Measurement and Updating). Thirty per cent of the amount resulting from the above shall be distributed among the political parties equally, and the remaining seventy per cent shall be distributed according to the percentage of votes they obtained in the immediately preceding election.

c) In activities aimed at obtaining votes during federal electoral processes, public resources shall prevail over those of private origin.

The law shall establish the specific rules and amounts to be observed by political parties and independent candidacies in the exercise and verification of spending, as well as, if applicable, those corresponding to the reimbursement of all remaining resources at the conclusion of the electoral process for which they were allocated.

In obtaining private resources, both for the support of their ordinary activities and to cover campaign expenses during electoral processes, political parties shall be subject to the following:

- 1.** The source of any resources obtained shall be identifiable and reported in its accounts, with rules prior to the review of the exercise.
- 2.** They may not exceed the ceilings established in the legislation for federal and local elections; these contributions shall not be subject to tax deduction;
- 3.** No individual may donate in a calendar year to more than one independent party or candidacy, and

4. The resources that a party obtains for the support of its ordinary activities may not be applied to activities aimed at obtaining votes for elected office, nor to the payment of debts incurred to cover campaign expenses.

In the management of resources aimed at obtaining votes, independent candidacies shall observe the provisions of paragraphs 1, 2 and 3 above.

The law shall establish the limits on expenditures in internal candidate selection processes and electoral campaigns. The law itself shall establish the maximum amount of contributions from their militants and sympathisers; it shall order the procedures for the control, timely auditing and surveillance, during the campaign, of the origin and use of all the resources they have; it shall also establish the sanctions to be imposed for non-compliance with these provisions.

Similarly, the law will establish the procedure for the liquidation of the obligations of parties that lose their registration and the cases in which their assets and remnants will be awarded to the Federation.

III. Political parties shall have the right to permanent use of the mass media. Independent candidacies shall have the right of access to prerogatives for electoral campaigns under the terms established by law.

Paragraph A. The National Institute of Elections and Consultations shall be the sole authority for the administration of the time that corresponds to the State on radio and television destined to its purposes and to the exercise of the right of political parties and independent candidacies, in accordance with the following and what is established by law:

a) From the beginning of the pre-campaign period until Election Day, thirty minutes per day will be made available to the National Institute for Elections and Consultations, which will be distributed in at least one for each hour of transmission on each radio station and television channel;

b) Ten percent of radio and television time will be allocated to the broadcasting of informative messages related to the process under the responsibility of the National Institute for Elections and Consultations;

c) The time established as a prerogative of the political parties and, if applicable, of the independent candidacies will be distributed among them according to the following: seventy percent will be distributed among the political parties in accordance with the results of the immediately preceding election for federal deputies, and the remaining thirty percent will be divided into equal parts, of which up to one of them may be assigned to the independent candidacies as a whole;

d) Broadcasts on each radio station and television channel shall be distributed within the programming hours between six and twenty-four hours. Each party and independent candidacy message shall have a minimum duration of one minute;

e) Each national political party without representation in the Congress of the Union shall be allocated for radio and television only the part corresponding to the equal percentage established in the previous paragraph;

f) During their pre-campaigns, political parties shall have a total of one minute for each hour of transmission on each radio station and television channel for the broadcasting of their internal processes; the remaining time shall be distributed among the parties for the broadcasting of programme messages, in accordance with the provisions of subparagraph b) of this section;

g) In the period between the end of the pre-campaigns and the beginning of the campaigns, programmatic messages of the political parties will be broadcast, in accordance with the provisions of the law;

h) In the period between the close of campaigning and Election Day, no party and independent candidate propaganda will be broadcast, and

i) Independently of the provisions of paragraphs A and B of this base, and outside the periods of pre-campaigns and federal election campaigns, the National Institute of Elections and Consultations shall be allocated up to twelve percent of the total time available to the State on radio and television, in accordance with the law and under any modality; the total allocated shall be distributed among the national political parties on an equal basis. Each national political party shall use the time that it is entitled to in the formats established by law. In any case, the broadcasts referred to in this subsection shall be made at the times determined by the National Institute of Elections and Consultations in accordance with the provisions of subsection c) of this section, with a duration of no less than one minute for each message.

...

...

The provisions contained in the two preceding paragraphs must be complied with at the level of the federal entities in accordance with the single legislation on electoral matters.

Paragraph B. For electoral purposes in the federative entities, the National Institute of Elections and Consultations shall administer the time corresponding to the State on radio and television on the stations and channels with coverage in the entity in question, in accordance with the following and with what is determined by law:

a) For local electoral processes with election days that coincide with the federal election day, the time allocated in each federal entity shall be included within the total time available in accordance with the provisions of section A of this base;

(b) and (c) ...

When, in the opinion of the National Institute for Elections and Consultations, the total radio and television time referred to in this and the previous section is insufficient, it shall determine what is necessary to cover the remaining time, in accordance with the powers conferred on it by law.

Paragraph C. ...

During federal and local election campaigns and until the conclusion of the respective election day, the broadcasting in the media of all government propaganda, i.e. that which is contracted with public resources by the regulated entities, must be suspended, in accordance with Article 134 of this Constitution and its regulatory law. The only exceptions to the above shall be the broadcasting of informative messages related to the electoral process, those related to public services and those necessary for civil protection in cases of emergency.

Paragraph D. The National Institute of Elections and Consultations, by means of expedited procedures under the terms of the law, shall investigate violations of the provisions of this basis, and shall compile the file for submission to the Electoral Tribunal of the Judiciary of the Federation for its knowledge and resolution. In the proceedings, the National Institute of Elections and Consultations may impose, among other precautionary measures, the order to immediately suspend radio and television broadcasts, in accordance with the provisions of the law.

IV...

The duration of the campaigns when electing the President of the Republic shall be ninety days; when electing senators and heads of local executive powers in the federal entities, seventy-five days; when electing federal deputies, sixty days; and when electing members of local congresses or city councils, forty-five days. In no case shall pre-campaigns exceed two thirds of the time allotted for electoral campaigns.

...

V. The organisation of elections is a State function that is carried out through the National Institute for Elections and Consultations, under the terms established by this Constitution.

Paragraph A. The National Institute of Elections and Consultations is an autonomous public body, under the terms established by law, endowed with its own legal personality and assets, in whose membership the national political parties and the citizenry participate. In the exercise of this State function, certainty, legality, independence, impartiality, maximum publicity, objectivity and austerity shall be guiding principles.

The National Institute of Elections and Consultations shall be an authority in the matter, independent in its decisions and functioning, and professional in its performance: it shall have auxiliary areas and temporary bodies in its structure, under the terms established by the respective law. The General Council shall be its highest governing body and shall be composed of seven male and female electoral councillors. Whoever receives the most votes at the time of election shall be its president. The representatives of the national political parties and

a representative of the Executive Secretariat shall be present, with the right to speak but not to vote. The law shall determine the rules for the organisation and functioning, as well as the relations of command between the auxiliary areas and the temporary bodies, which shall have personnel for the exercise of their attributions, under the terms established by the respective law. An internal control body shall be in charge, with technical and managerial autonomy, of auditing all income and expenditure of the National Institute of Elections and Consultations. The provisions of the electoral legislation and of the Staff Statute of the National Institute of Elections and Consultations approved by the General Council on the basis thereof shall govern the working relations with its public servants, under the terms of this Constitution and the law. The bodies overseeing the nominal list of electors shall be composed of a majority of representatives of the national political parties. The polling stations shall be made up of male and female citizens.

The meetings and sessions of the bodies of the Institute shall be open to the public under the terms of the law.

The Institute shall have an electoral officer's office vested with public faith for acts of an electoral nature, whose powers and electoral nature, the powers and functioning of which shall be regulated by law.

The incumbent presidents and councillors shall serve for a term of six years and shall not be eligible for re-election. They shall be directly and secretly voted on by the citizens at the national level, on the first Sunday of August of the corresponding year, by means of the following procedure:

a) The Chamber of Deputies shall issue the decree of convocation for the election of electoral councillors, which shall contain the complete stages of the procedure, its dates and non-extendable deadlines. Each of the Powers of the Union shall nominate twenty persons on a parity basis: the Executive shall nominate twenty persons on a parity basis: the Executive shall nominate twenty persons on a parity basis through the person holding the Presidency of the Republic; the Legislative Branch shall nominate ten persons for each Chamber, by a qualified vote of two thirds of its members present; the Judicial Branch of the Federation, through the Plenary of the Supreme Court of Justice of the Nation, with a majority of eight votes. The National Institute of Elections and Consultations shall organise the election process;

b) Female candidates nominated for the position of electoral councillors shall have the right of access to radio and television in the official time allocated to national political parties, through special programming defined by the Institute. The distribution of time will be equal between male and female candidates. They may also participate in debate forums organised by the Institute itself within official time or in those provided free of charge by any media outlet under the principle of equity. It is forbidden to contract, by oneself or through an intermediary, radio and television spots to promote candidates. Political parties may not carry out acts of proselytising for or against any candidate. The respective campaign period shall be determined by law;

c) The Institute will carry out the election counts, and will communicate them to the Chamber of Deputies, which will immediately make and publish the sum, which it will send to the Supreme

Court of Justice of the Nation, which will proceed to resolve the challenges, qualify the process and declare the results; and

d) The law shall establish the form and duration of the campaigns. In no case shall there be a pre-campaign stage.

e) Repealed.

In the event of the absolute absence of an electoral councillor, the Chamber of Deputies shall elect a substitute person to complete the term of office, by a majority of two thirds of its members present at the session in which it is discussed. The absolute absence of the person occupying the presidency shall be covered by the person with the next highest number of votes in the corresponding election.

...

....

The head of the Executive Secretariat shall be elected by a two-thirds vote of the members of the General Council on the proposal of the President of the General Council.

The law shall establish the requirements to be met for the appointment of the heads of the internal control body and of the Executive Secretariat of the National Institute of Elections and Consultations. Persons who have served as heads of the presidency, of the Executive Secretariat or as electoral councillors may not hold positions in the public authorities in whose election they have participated, party leadership positions or be nominated for popularly elected office for three years following the date of the end of their term of office.

Repealed.

Paragraph B. Corresponds to the National Institute of Elections and Consultations, under the terms established by this Constitution and the laws:

a) For federal and local electoral processes:

1. Electoral organisation and training;
2. The design and determination of the electoral geography, including the division of the territory into electoral sections;
3. The integration of the nominal list of electors;
4. The preparation of polling day, the location of polling stations and the appointment of polling station officials;

5. The printing of documents and the production of materials; the issuing of rules, guidelines, criteria and formats for preliminary results; the regulation of opinion polls or surveys, and election observation, as well as quick counts;

6. Repealed.

7. Repealed.

8. The scrutiny and counting of votes in accordance with the terms established by law;

9. The declaration of validity and the awarding of certificates in the elections of senators, federal and state deputies, and members of municipal councils;

10. State counts of the election of the incumbent of the Presidency of the United Mexican States;

11. The computation of the election of the person holding the Executive Power of each federative entity, as well as the declaration of validity and granting of the certificate;

12. Guarantee access to political party prerogatives and the rights of independent candidacies;

13. Organise and carry out the processes of citizen consultation, mandate revocation and mechanisms of participatory democracy in the federal entities, and

14. Other as determined by law.

b) Repealed.

c) Under the terms of Article 35 of this Constitution, the National Institute for Elections and Consultations shall carry out the corresponding functions for the processes of popular consultation and recall of mandate in the federal entities.

The National Institute for Elections and Consultations, at the request of political parties, under the terms established by law, may organise elections of their leaders.

The auditing of the finances of political parties and the campaigns of candidates shall be the responsibility of the National Institute of Elections and Consultations. The law will develop the attributions for the performance of this function, as well as the definition of its dependent technical bodies responsible for carrying out the reviews and instructing the procedures for the application of the corresponding sanctions. In the fulfilment of its attributions, the Institute will not be limited by banking, fiduciary and fiscal secrecy, and will have the support of federal and local authorities.

Repealed.

Paragraph C. Repealed.

Section D. The National Institute of Elections and Consultations shall regulate the organisation and functioning of the National Electoral Professional Service, which includes the selection, admission, training, professionalisation, promotion, evaluation, rotation, permanence and discipline of the public servants of the executive and technical bodies of the Institute itself.

VI. In order to guarantee the principles of constitutionality and legality of electoral acts and resolutions, including those relating to the processes of popular consultation and mandate revocation, a system of means of challenge shall be established under the terms established by this Constitution and the law. This system shall make the different stages of the electoral, referendum and recall processes definitive, and shall guarantee the protection of the political rights of citizens to vote, to be voted for, to associate, to be consulted and to participate in recall processes, under the terms of this provision and article 99 of this Constitution.

In electoral, consultation and revocation matters, the filing of constitutional or legal means of challenge shall not produce suspensive effects on the contested decision or act.

...

Such violations must be proven in an objective and material manner. Violations shall be considered decisive when the difference between the first and second place vote is less than five percent.

Article 51. The Chamber of Deputies shall be composed of persons representing the of the Nation, elected in full every three years with their respective alternates.

The Chamber of Deputies shall be made up of 300 male and female deputies who shall be elected by means of the system of lists voted in each of the federal entities, which shall be formed on the following basis:

In order to determine the number of seats for each of the states, the total population shall be considered, taking into account the latest general population census, and divided by the number of seats, in order to obtain, in whole numbers, the distribution quotient;

I. The seats which, in accordance with the distribution quotient, correspond to each federal entity shall be assigned in whole numbers, considering its population as counted in the last general population census;

II. If any federative entity does not have at least two deputies, it shall have priority in the distribution of remainders to achieve that number, and

III. In the event of surpluses, they shall be distributed among the federal entities in accordance with the method of the greater remainder, observing the provisions of the previous section.

Article 53. For the election of the 300 male and female deputies, the principle of gender parity shall be observed, for which all lists shall be made up alternately by women and men. Each party shall head its lists in the federative entities alternately by women and men each election period. Each formula shall be composed of persons of the same gender.

Repealed.

Article 54. The election through the list system in each federative entity shall be carried out in accordance with the following and with the provisions of the law:

I. Each political party and list of independent candidates will be assigned the number of deputies corresponding to it, in accordance with the votes obtained in each state;

II. In order to obtain the natural quotient of allocation, the valid vote of the federal entity shall be divided by the total number of deputies to be allocated. The valid vote shall be considered to be the total number of votes cast, discounting invalid votes and those cast in favour of parties or lists of independent candidacies that have not obtained at least three percent of the vote in the corresponding federal entity;

III. Any political party or list of independent candidacies that reaches at least three percent of the total valid vote in the federal entity shall be entitled to be allocated as many seats as the number of whole natural quotients contained in its vote;

IV. Any remainder shall be allocated using the natural quotient method and the highest remainder;

V. Allocation shall follow the order in which the nominations are placed on the relevant list; and

VI. The single legislation on electoral matters shall develop the rules and formulas for the above-mentioned purposes.

Article 55. In order to be a Member of Parliament, the following are required:

I. Be a Mexican citizen by birth, in the exercise of their rights.

II...

III. Be a native of the federative entity in which the election is held or a resident of that entity with effective residence for more than one year prior to the date of the election.

Repealed.

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IV. Not be on active duty in the armed forces or in command of the federal public security forces or of the state in which the election is to be held, at least one year before the election.

V.

Not to be a Minister of the Supreme Court of Justice of the Nation, nor a magistrate or secretary of the Electoral Tribunal of the Judiciary of the Federation, nor the holder of the presidency or electoral councillor of the National Institute of Elections and Consultations, nor the holder of the Executive Secretariat, nor the holder of the Executive Directorate, nor professional management personnel of the Institute itself, unless they have been permanently separated from their position three years prior to election day.

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VI. and VII

Article 56. The Senate of the Republic shall be made up of ninety-six persons elected - three in each federal state - by means of the list system. In its composition, the provisions of Article 53 of this Constitution shall be observed.

The election of male and female senators in each state shall be conducted in accordance with the following and with the provisions of the law:

I. Political parties and lists of independent candidacies shall be assigned the number of senatorial seats they assigned the number of senatorial seats that correspond to them, in accordance with their vote obtained in the federative entity, observing the provisions of section II of Article 54 of this Constitution;

II. Any surplus shall be distributed according to the natural quotient method and the greater remainder, and

III. Allocation shall follow the order of the nominations on the corresponding list.

Article 60. The National Institute of Elections and Consultations, in accordance with the provisions of the law, shall declare the validity of the elections of deputies and senators and shall carry out the allocation in each of the federal entities.

Determinations regarding the declaration of validity and the allocation of deputies or senatorships may be challenged before the regional chambers of the Electoral Tribunal of the Federal Judiciary, under the terms established by law.

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Article 63. The Houses may not open their sessions or exercise their office without the presence, in each of them, of more than half of the total number of their members; However, the persons present in both Houses must meet on the day appointed by law and compel those absent to attend within the following thirty days, with the warning that if they fail to do so, it shall be understood by that fact alone that they do not accept their office, and they shall then call the substitutes, who must appear within the same time limit; if they fail to do so, the seat shall be declared vacant. Both vacancies in the seats of Deputies and Senators of the Congress of the Union that arise at the beginning of the legislature, as well as those that occur during its term, shall be filled by the formula of candidates from the same party or list of independent candidates that follows in the order of the list of the corresponding federal entity, after having been assigned the legislators that would have corresponded to them.

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Article 73.

I. to XX....

XXI. ...

a) General laws establishing at least the criminal offences and their penalties in the areas of kidnapping, enforced disappearance of persons, other forms of deprivation of liberty contrary to the law, trafficking in persons, torture and other cruel, inhuman or degrading treatment or punishment.

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b) and c)

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XXII. to XXIX-P....

XXIX-Q. To issue single legislation on citizens' initiative and popular consultations;

XXIX-R. to XXIX-T. ...

XXIX-U. To issue single legislation on political parties, electoral bodies, electoral processes, means of electoral contestation and electoral offences, in accordance with the provisions of this Constitution:

XXIX-V. to XXXI. ...

Article 99. ...

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I. Challenges in federal and local elections;

II. and III.

IV. Challenges to acts and resolutions that violate the political-electoral rights of citizens to vote, to be voted for and to freely and peacefully take part in the political affairs of the country, under the terms set out in this Constitution and the laws. In order for a citizen to be able to resort to the jurisdiction of the Electoral Tribunal for violations of his or her rights by the political party to which he or she is affiliated, he or she must have previously exhausted the instances of conflict resolution provided for in its internal rules. The law shall establish the applicable rules and time limits, in accordance with the provisions of article 41, third paragraph, base I, third paragraph, of this Constitution;

V. Repealed.

VI....

VII. Labour disputes or differences between the National Institute for Elections and Consultations and its public servants;

VIII. The determination and imposition of sanctions by the National Institute of Elections and Consultations on political parties or groupings or individuals or legal entities, national or foreign, that violate the provisions of this Constitution and the laws.

IX. The matters that the National Institute for Elections and Consultations submits to it for violations of the provisions of Article 41, third paragraph, base III, and Article 134, eighth paragraph, of this Constitution; the norms on political and electoral propaganda, as well as for the carrying out of pre-campaign or campaign acts, and to impose the corresponding sanctions, and

X.

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The electoral magistrates who make up the Superior Chamber shall be elected on the first Sunday of August of the corresponding year by direct and secret vote of the citizens at the national level, in accordance with the following bases:

a) The Senate of the Republic shall issue the decree of convocation for the election of the electoral magistrates, which shall contain the complete stages of the procedure, its dates and non-extendable deadlines. Each of the Powers of the Union shall nominate ten persons on a parity basis; the Executive Branch shall do so through its head; the Legislative Branch shall nominate five persons for each Chamber by a vote of two thirds of its members present; the Judicial Branch of the Federation, through the Plenary of the Supreme Court of Justice of the Nation, with a majority of eight votes. The National Institute of Elections and Consultations shall organise the election process;

b) During the legal campaign period, candidates for the judgeships of the Superior Chamber shall have the right of access to radio and television with the right of access to the media the total time allocated to the political parties plus a further amount taken from the rest of the official time, in order to present their proposals and work programme. The distribution of time shall be equal. They may also participate in debate forums organised by the Institute in time provided free of charge by the media, under the principle of equity. Their participation shall be on an individual basis. It is forbidden for any individual or legal entity to contract radio and television spots. Political parties may not carry out acts of proselytising or any other kind of propaganda for or against any candidacy;

c) The Institute will carry out the election counts, and will communicate them to the Senate of the Republic, which will immediately make and publish the sum, which it will send to the Supreme Court of Justice of the Nation, which will resolve the challenges, qualify the process and declare its results; and

d) The law shall establish the forms and duration of campaigns for judgeships, which shall not include a pre-campaign stage.

The electoral magistrates who sit on the Superior Chamber shall satisfy the requirements established by this Constitution, which may not be less than those required for membership of the Supreme Court of Justice of the Nation and, in addition, shall be distinguished for their probity; they shall hold office for a term of six years, which may not be extended. Resignations, absences and leaves of absence of electoral magistrates of the Superior Chamber shall be processed, covered and granted by the said Chamber, as appropriate, under the terms of Article 98 of this Constitution.

The electoral magistrates who make up the regional chambers shall satisfy the requirements established by law, which may not be less than those indicated in the previous paragraph. They shall be popularly elected by direct and secret vote by regions under the terms and modalities determined by the single legislation on electoral matters and shall hold office for a term of six non-extendable years.

In the event of the absolute absence of a judge of a Superior Chamber, the Senate shall elect a substitute only to cover the constitutional term, on the proposal of the Supreme Court of Justice of the Nation. Approval shall be by a two-thirds vote of its members present.

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Article 105. ...

I. ...

II. ...

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a) to e) ...

f) Political parties registered with the National Institute for Elections and Consultations, through their national leadership, against the single electoral law;

g) to i) ...

The single electoral legislation shall be enacted and published at least ninety days before the beginning of the electoral process in which they are to apply, and no fundamental legal changes may be made during the electoral process.

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III. ...

Article 110. The following may be subject to impeachment proceedings: senators and deputies to the Congress of the Union, ministers of the Supreme Court of Justice of the Nation, councillors of the Federal Judiciary, secretaries of the Office, Attorney General of the Republic, circuit magistrates and district judges, head councillor of the Presidency, electoral councillors and Executive Secretary of the Institute.

National Elections and Consultations Commission, magistrates of the Electoral Tribunal, members of autonomous constitutional bodies, general directors and equivalents of decentralised bodies, companies with majority state participation, companies and associations assimilated to these and public trusts.

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Article 111. In order to bring criminal proceedings against deputies and senators of the Congress of the Union, ministers of the Supreme Court of Justice of the Nation, magistrates of the High Chamber of the Electoral Tribunal, councillors of the Federal Judiciary, secretaries of the Office, the Attorney General of the Republic, as well as the incumbent councillor of the

Presidency and electoral councillors of the General Council of the National Institute of Elections and Consultations, for the commission of crimes during their term of office, the Chamber of Deputies shall declare by an absolute majority of its members present in session, whether or not it is necessary to proceed against the accused person.

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Article 115....

I) Each Municipality shall be governed by a directly popularly elected City Council, composed by means of a system of lists voted on a parity basis by a Municipal President, a Syndicate and the number of council seats corresponding to it in accordance with its number of inhabitants, assigned by the natural quotient method and major remainder in accordance with the following:

- a) There shall be one council for municipalities with a population of less than sixty thousand inhabitants;
- b) Up to three regidurias shall correspond to municipalities with a population of more than sixty thousand and less than three hundred and seventy thousand inhabitants;
- c) Up to five regidurias shall correspond to municipalities with a population of more than 370,000 and less than 690,000 inhabitants;
- d) Up to seven regidurias shall correspond to municipalities with a population of over six hundred and ninety thousand and less than one million ten thousand inhabitants, and
- e) Up to nine regidurias shall be allocated to municipalities with a population of more than 1.1 million inhabitants.

State constitutions shall determine the minimum percentage of votes required for the allocation of aldermen.

The powers vested in the municipal government by this Constitution shall be exercised by the municipal council, and there shall be no intermediate authority between it and the state government. In no case shall public servants or public officials administrative staff of municipalities may earn a higher remuneration than that granted to councillors.

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II. to X. ...

Article 116.

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I. ...

II. The number of representatives in the state legislatures may not exceed fifteen deputies in those states whose population is less than one million people, and for each additional half million inhabitants, it may be increased by one deputy up to a maximum of forty-five deputies.

...

State legislatures shall be composed of deputies elected in accordance with the system of lists voted in the federal entity. For this purpose, the natural quotient and major remainder method shall be used.

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III. ...

IV. In accordance with the bases established in this Constitution and the single legislation on electoral matters, the constitutions of the states shall ensure that:

a) Elections for the state executive branch, local legislatures and municipal councils shall be held by universal, free, secret and direct suffrage, and the election day shall take place on the first Sunday of June of the corresponding year.

Elections of members of local legislatures and municipal councils shall be carried out according to the system of lists voted in the federal entities and municipalities, as appropriate; the method of natural quotient and greater remainder shall be used in the allocation.

Any national or local political party or list of independent candidacies that reaches at least three percent of the total valid vote in the federal entity shall be entitled to be allocated as many seats as the number of whole natural quotients contained in its vote;

b) The rules of parity in the composition of lists of male and female candidates shall be subject to the provisions of Article 53 of this Constitution;

c) Repealed.

d) Repealed.

e) Political parties may only be formed by citizens without the involvement of trade organisations, or with a different social purpose, and without there is corporate affiliation. Likewise, they have the recognised right to request the registration of candidates for elected office, with the exception of the provisions of Article 2, section A, sections 111 and VII of this Constitution. The National Institute of Elections and Consultations shall proceed to register local political parties that comply with the requirements established by the respective single legislation on the matter;

f) A local political party that does not obtain at least three percent of the total valid vote cast in any of the elections held for the renewal of the local executive or legislative power shall have its registration cancelled. This provision shall not apply to national political parties participating in local elections;

g) The bases and amounts of public funding that the states grant to local political parties for campaign activities aimed at obtaining votes in local electoral processes shall be subject to Article 41, Base II of this Constitution, and to the single legislation on electoral matters, and the procedure for the liquidation of local parties that lose their registration and the destination of their assets and remnants shall be established.

The system of financing campaign expenses of independent candidacies in local elections shall be subject to the provisions of article 41, base II of this Constitution;

h) Repealed.

i) Repealed.

j) Repealed.

k) Repealed.

l) Repealed.

m) Repealed.

n) Verify that at least two local elections are held on the same date as federal elections;

o) Repealed.

p) Establish the bases and requirements for citizens to apply for registration as candidates in elections in order to be able to vote independently for all popularly elected positions, in terms of Article 35 of this Constitution and the single legislation on electoral matters;

V. to IX.

Article 122....

A.

I. ...

II. The exercise of legislative power is vested in the Legislature of Mexico City, which shall be made up under the terms established by the Political Constitution of the entity, observing the provisions of section II of Article 116 of this Constitution. Its members shall meet the requirements established by the Constitution and shall be elected by universal, free, secret and direct suffrage, in accordance with the system of lists voted in the entity, under the terms established by its laws, for a period of three years. The rules of gender parity in the integration of lists shall be subject to the provisions of Article 53 of this Constitution.

The Congress of Mexico City shall be composed of deputies elected according to the system of lists voted in the entity, under the terms established by the single legislation on electoral matters. The method of natural quotient and major remainder shall be used in its allocation.

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III. to V. ...

VI. ...

a) The Alcaldías are political-administrative bodies made up of a Mayor and a Council elected by universal, free, secret and direct voting, through the system of lists voted in each territorial demarcation, for a period of three years. Councillors shall be elected according to the method of natural quotient and major remainder and observing the provisions of the second paragraph of section 1 of article 115 of this Constitution.

b) to f)...

VII. to XI....

B. to D. ...

Transitional provisions

First, This Decree shall enter into force on the day following its publication in the Diario Oficial de la Federación.

Second. For a single occasion, the election day for electoral councillors of the National Institute of Elections and Consultations and for electoral magistrates of the High Chamber of the Electoral Tribunal of the Judiciary of the Federation referred to in this Constitution shall be held on the first Sunday of February 2023. During September 2022, the Chamber of Deputies and the Senate of the Republic shall issue the respective convocation.

Third. The National Institute of Elections and Consultations shall fully replace the National Electoral Institute, and the members of the General Council of the latter shall cease their functions at the moment when the election of the members of the General Council of the National Institute of Elections and Consultations is declared and they take the oath of office.

The human, material, financial and budgetary resources of the National Electoral Institute, including all its assets and the rights derived from the funds or trusts in force, shall become part of the National Institute of Elections and Consultations under the terms determined by the corresponding legal and administrative provisions. The Institute to Return the Stolen to the People will coordinate the disincorporation and transfer of assets.

The archives and collection of information published or to be published prepared or in the possession of the National Electoral Institute are national patrimony, and shall be transferred in their entirety to the National Institute of Elections and Consultations within ninety days of the publication of this Decree.

Within fifteen days of the entry into force of this Decree, the head of the presidency of the National Electoral Institute shall provide the head of the Institute to Return the Stolen to the People with a report on the situation of the Institute, including the corresponding financial balance.

Fourth. Upon the swearing-in of the judges of the Superior Chamber of the Electoral Tribunal of the Judiciary of the Federation, those who currently occupy these positions shall cease to hold office. At the same time, the electoral tribunals of the federal entities will be dissolved, and their respective assets and human resources will be allocated to the local government concerned.

Fifth. The local public electoral bodies shall be extinguished as of the installation of the General Council of the National Institute of Elections and Consultations. Their financial and material resources shall of course be transferred to the latter. The labour rights of the workers assigned to each of these bodies shall be respected, and if they form part of the Electoral Professional Service, they may be transferred to the National Institute of Elections and Consultations.

Sixth. The Congress of the Union shall have ninety days to issue the single legislation on electoral matters derived from this Decree. In the meantime, the constitutional provisions on the matter shall apply directly.

Seventh. Administrative and jurisdictional proceedings that are in process at the entry into force of this Decree shall continue to be processed until they are completed in accordance with the regulations in force at the beginning of their processing,

Eighth. The regional and superior chambers of the Electoral Tribunal of the Judiciary of the Federation will continue the adjudication of the jurisdictional procedures that are pending resolution by the local jurisdictional bodies in electoral matters, which, upon the entry into force of this Decree, must of course hand over to said jurisdictional body the totality of the files that are being processed, as well as the totality of its documentary heritage.

Ninth. The single legislation on electoral matters shall indicate the mechanism by means of which local electoral calendars shall be standardised with the federal processes

Signature page of the Initiative with Draft Decree Reforming, Repealing and Adding Various Articles of the Political Constitution of the United Mexican States, on Electoral Matters.

I reiterate to you, Mr. President of the Bureau of the Chamber of Deputies of the Honourable Congress of the Union, the assurances of my highest consideration.

Mexico City, 28 April 2022.

THE PRESIDENT OF THE UNITED MEXICAN STATES

ANDRÉS MANUEL LÓPEZ OBRADOR

TAX AUTHORITY

Under-Secretariat for Expenditure
Directorate-General for Programming and
Budget "A"

Oficio No_ 315-A.-1270

Mexico City, 26 April 2022.

LIC. ROBERTO CARLOS BLUM CASSEREAU
Director General Jurídico de Egresos
Presente

I refer to your letter number 353, A.-395, by which you send a simple copy of the Preliminary Draft of the Initiative with "Draft Decree reforming, adding and repealing various provisions of the Political Constitution of the United Mexican States on Electoral Matters" (Preliminary Draft), as well as various documentation sent by the Federal Attorney General's Office, regarding the budgetary impact assessment issued by the Ministry of the Interior (SEGOB), in order to issue the relevant comments, within the scope of competence of this Directorate General, in accordance with the applicable provisions.

In this regard, based on the information provided by SEGOB, I would like to highlight the following:

- The Preliminary Draft proposes an initiative for constitutional reform in the area of the main objective of the electoral system is to constitute an electoral mechanism that considers unique administrative and judicial institutions under the principles of republican austerity.
- The Preliminary Draft replaces the current National Electoral Institute (INE) with the National Institute of Elections and Consultations, as an autonomous public body with its own legal personality and assets, thus preserving its constitutional autonomy'.
- The Preliminary Draft provides that: "the resources of national and local political parties destined to sustain their ordinary permanent activities shall originate exclusively from contributions from Mexican individuals in the manner and within the limits set forth in this Constitution and the Law. The resources destined to their electoral campaigns shall come from public funding, as well as from contributions from Mexican individuals in the manner and within the limits set forth in this Constitution and the Law". (Article 41 section II).

↑
Article 41(A)(IV) of the Preliminary Draft.

TAX AUTHORITY

Undersecretary of Expenditure
Directorate-General for Programming and
Budget "A"

Oficio No. 315-A.1270

- Article 35 of the Preliminary Draft proposes electronic voting as a means of taking advantage of information and communication technologies in voting, with the purpose of offering greater guarantees to facilitate citizen participation in elections and consultations by electronic or digital means.
- Finally, in Articles 52 and 56 of the Preliminary Draft, it proposes to reduce the number. The number of members of the Chamber of Deputies would be reduced to a total of 300, and the Senate of the Republic would be composed of 96 representatives.

In accordance with the above, in terms of the provisions of Article 18 of the Regulation of the Federal Budget and Accountability Law, and according to the information provided by the SEGOB, within the scope of competence of this Directorate General of Programming and Budget "A", the following is cited:

I. impact on the expenditure of agencies due to the creation or modification of administrative units and posts or, where appropriate, the creation of new institutions.

According to SEGOB, the draft bill aims to modify the operational and functional structure of the current INE to transform it into the National Institute of Elections and Consultations as an autonomous public body with legal personality and assets, thus preserving its constitutional autonomy.

Accordingly, the Preliminary Draft has no impact on the expenditure of the Federal Public Administration's agencies and entities due to the creation of new institutions.

II. Budgetary impact on the approved programmes of agencies and entities.

The SEGOB points out that the Preliminary Draft does not generate additional budgetary impact on the programmes approved in the Federal Public Administration's agencies and entities.

III. Establishment of specific destinations for public spending.

The Preliminary Draft does not foresee the establishment of specific earmarking of public expenditure.

IV. Establishment of new responsibilities and activities to be carried out by agencies and entities that require increased budgetary allocations to carry them out.

In accordance with what is stated in Section V, Paragraph A of Article 41 of the Draft, the SECOB states that the creation of the National Institute of Elections and Consultations does not imply the establishment of new attributions and activities to be carried out by the agencies and entities of the Federal Public Administration.

TAX AUTHORITY

Undersecretary of Expenditure
Directorate-General for Programming and
Budget "A"

Oficio No. 315-A.-1270

V. Establishment of new responsibilities and activities to be carried out by agencies and entities that require increased budgetary allocations to carry them out.

In accordance with what is stated in Section V, Paragraph A of Article 41 of the Draft, the SECOB states that the creation of the National Institute of Elections and Consultations does not imply the establishment of new attributions and activities to be carried out by the agencies and entities of the Federal Public Administration.

VI. Inclusion of general provisions having an impact on budgetary regulation.

The Preliminary Draft does not include general provisions that have an impact on the regulation of budgetary matters in the agencies and entities of the Federal Public Administration;

In merit of the above, and in compliance with the provisions of articles 18 of the Federal Budget and Fiscal Responsibility Law (LFPRI-1), and 65, Section A, fraction 1, and Section B, of the Internal Regulations of the Ministry of Finance and Public Credit; and 65, Section A, section 1, and Section B, of the Internal Regulations of the Ministry of Finance and Public Credit, and in accordance with the SEGOEI, the "Draft Decree reforming, adding and repealing various provisions of the Political Constitution of the United Mexican States on Electoral Matters" does not imply an additional budgetary impact on the expenditure of the Federal Public Administration's agencies and entities, since it considers an institutional redesign of the current INE to replace it with the National Institute of Elections and Consultations (Instituto Nacional de Elecciones y Consultations (INEC)); public funding for the support of the ordinary activities of political parties is eliminated; the Local Public Electoral Bodies and the Electoral Courts of the federal entities are extinguished; and electronic voting is proposed as a means of facilitating citizen participation in electoral processes.

In accordance with the above, in the opinion of this Directorate General of Programming and Budget "A", it is concluded that the reforms proposed in the Preliminary Draft imply modifying the budgetary allocations approved for INE, so that INEC should take the necessary actions in due course to ensure that the expenditures generated by the entry into force and implementation of the Preliminary Draft are charged to the budget authorised by the Chamber of Deputies in terms of the provisions of Article 74 of the Political Constitution.

TAX AUTHORITY

Undersecretary of Expenditure
Directorate-General for Programming and
Budget "A"

Oficio No. 315-A.-1270

of the United Mexican States, as well as Articles 30, 39 and 42 of the LFIDI:11-1, in the current and subsequent fiscal years.

Likewise, in accordance with the above, this administrative unit considers that the Legislative Branch should include in its draft budget the provisions of Articles 52 and 56 of the Preliminary Draft, regarding the composition of the number of representatives of the Chamber of Deputies and Senators respectively.

It should be noted that the documents mentioned above have been analysed within the sphere of competence of this Directorate General, so that this opinion does not prejudge or validate the information, the scope of the actions proposed in their content, nor does it constitute any legal opinion with respect to other laws and provisions.

I would like to take this opportunity to send you my warmest greetings.

ATTENTIVELY

**THE DIRECTOR
GENERAL**

P C. Coordinator of Programming and Budgeting
Services. SHCP. - Present.

TAX AUTHORITY

Oficio No. 353.A.-396

Mexico City, 26 April 2022

LIC, LUIS COFINU GÓMEZ
Deputy Federal Tax Prosecutor for Legislation and Consultation
Federal Tax Prosecutor's Office

Present

Reference is made to official letter 529-II-DGLCPAJ-159/22, by which the Federal Fiscal Prosecutor's Office (PFF) forwarded simple copies of the preliminary draft of the draft initiative "Decree reforming, adding and repealing various provisions of the Political Constitution of the United Mexican States in electoral matters" (preliminary draft), as well as its respective budgetary impact assessment, sent by the Ministry of the Interior, for the purposes of the corresponding opinion.

In this regard, on the basis of article 65-A of the Internal Regulations of the Ministry of Finance and Public Credit, in relation to the various 18 to 20 of the Regulations of the Federal Budget and Fiscal Responsibility Law (RLFPRI-1), for the purposes of the budgetary impact report referred to in the aforementioned provisions, the following is reported:

- 1) This Directorate General, based on the provisions of Article 20 of the RLFPRH, and taking into consideration what was stated in the submitted Budgetary Impact Assessment, has no observations in the budgetary legal field on the provisions contained in the Preliminary Draft.
- 2) Attached is a simple copy of official letter 315-A-1270, by which the General Directorate of programming and Budget "A" of the Undersecretariat of Expenditure, considers that the Preliminary Project will not have a budgetary impact.

The foregoing is brought to your attention in order to comply with the provisions of Article 20, penultimate paragraph of the RLFIDPH, which states that the budget impact assessment and its respective opinion shall be annexed to the initiatives of laws or decrees submitted to the Congress of the Union or, where appropriate, to the regulations, decrees, agreements and other ordinances that are submitted for signature by the President of the Republic.

TAX AUTHORITY

Oficio No. 353.A.-396

The present document is issued on the version of the Preliminary Draft received through the letter mentioned in the first paragraph, and therefore, in the event of any modification to it, it must be submitted again to the opinion of this Undersecretariat.

I would like to take this opportunity to send you my warmest regards.

ATTENTIVELY

THE DIRECTOR GENERAL

ROBERTO CARLOS BLUM CASSEREAU

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