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HOUSE BILL 125

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Daniel P. Silva

AN ACT

**RELATING TO ELECTIONS; ALLOWING VOTER REGISTRATION UP TO TEN
DAYS BEFORE AN ELECTION.**

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

**Section 1. Section 1-4-5.1 NMSA 1978 (being Laws 1993,
Chapter 314, Section 7 and Laws 1993, Chapter 316, Section 7,
as amended) is amended to read:**

"1-4-5.1. METHOD OF REGISTRATION--FORM --

**A. A qualified elector may apply for registration
by mail or in the office of the county clerk.**

**B. Certificate of registration forms may be
requested from the secretary of state or any county clerk in
person, by telephone or by mail for oneself or for others.**

**C. Except as provided in Subsection D of this
section, a qualified elector who wishes to register to vote**

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1 shall fill out completely and sign the certificate of
2 registration. The qualified elector may seek the assistance
3 of any person in completing the certificate of registration.

4 D. A qualified elector who has filed for an order
5 of protection pursuant to the provisions of the Family
6 Violence Protection Act and who presents a copy of that order
7 from a state or tribal court to the registration officer shall
8 not be required to provide address information on the
9 certificate of registration.

10 E. Completed certificates of registration may be
11 mailed or presented in person by the registrant or any other
12 person to the secretary of state or presented in person by the
13 registrant or any other person to the county clerk of the
14 county in which the registrant resides.

15 F. If the registrant wishes to vote in the next
16 election, the completed and signed certificate of registration
17 shall be delivered or mailed and postmarked at least
18 [~~twenty-eight~~] ten days before the election.

19 G. Upon receipt of a certificate of registration,
20 the secretary of state shall send the certificate to the
21 county clerk in the county where the qualified elector
22 resides.

23 H. Only when the certificate of registration is
24 properly filled out, signed by the qualified elector and
25 accepted for filing by the county clerk as evidenced by his

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1 signature or stamp and the date of acceptance thereon and when
2 notice has been received by the registrant shall it constitute
3 an official public record of the registration of the qualified
4 elector.

5 I. The secretary of state shall prescribe the
6 form of the certificate of registration, which shall be a
7 postpaid mail-in format and shall be printed in Spanish and
8 English. The certificate of registration form shall be
9 clear and understandable to the average person and shall
10 include brief but sufficient instructions to enable the
11 qualified elector to complete the form without assistance. "

12 Section 2. Section 1-4-8 NMSA 1978 (being Laws 1969,
13 Chapter 240, Section 66, as amended) is amended to read:

14 "1-4-8. DUTIES OF COUNTY CLERK--ACCEPTANCE OF
15 REGISTRATION--CLOSE OF REGISTRATION. --

16 A. The county clerk shall receive certificates
17 of registration at all times during normal working hours,
18 except that he shall close registration at 5:00 p.m. on the
19 [~~twenty-eighth~~] tenth day immediately preceding any election
20 at which the registration books are to be furnished to the
21 precinct board.

22 B. Registration shall be reopened on the Monday
23 following the election.

24 C. For purposes of a municipal or school
25 election, the registration period for those precincts within

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1 the municipality or school district is closed at 5:00 p. m.
2 on the [~~twenty-eighth~~] tenth day immediately preceding the
3 municipal or school election and is opened again on the
4 Monday following the election.

5 D. During the period when registration is
6 closed, the county clerk shall receive certificates of
7 registration and other documents pertaining thereto but
8 shall not file the certificate of registration in the
9 registration book until the Monday following the election,
10 at which time a voter identification card shall be mailed to
11 the registrant at the address shown on the certificate of
12 registration.

13 E. When the [~~twenty-eighth~~] tenth day prior to
14 any election referred to in this section is a Saturday,
15 Sunday or legal holiday, registration shall be closed at
16 5:00 p. m. of the next succeeding regular business day for
17 the office of the county clerk.

18 F. The county clerk shall accept for filing any
19 certificate of registration that is hand delivered before
20 5:00 p. m. on the Friday immediately following the close of
21 registration. The county clerk shall accept for filing any
22 mailed certificate of registration postmarked not less than
23 [~~twenty-eight~~] ten days prior to any election referred to in
24 this section. The county clerk shall accept for filing any
25 certificate of registration accepted at a state agency

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1 designated pursuant to Section 1-4-5.2 NMSA 1978 not later
2 than [~~twenty-eight~~] ten days prior to any election. "

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