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HOUSE JOINT RESOLUTION 6  
45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002  
INTRODUCED BY  
Ted Hobbs

A JOINT RESOLUTION  
PROPOSING AN AMENDMENT TO ARTICLE 7 OF THE CONSTITUTION OF NEW  
MEXICO TO AUTHORIZE MUNICIPALITIES TO CONDUCT RUNOFF  
ELECTIONS.

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

Section 1. It is proposed to amend Article 7, Section 5  
of the constitution of New Mexico to read:

"A. All elections shall be by ballot [~~and~~]. The  
person who receives the highest number of votes for any  
office, except as provided in Subsection B of this section,  
and except in the cases of the offices of governor and  
lieutenant governor, shall be declared elected [~~thereto~~] to  
that office. The joint candidates receiving the highest  
number of votes for the offices of governor and lieutenant  
governor shall be declared elected to those offices.

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1                   B. In a municipal election, the candidate who  
2 receives the highest number of votes for an office shall be  
3 declared elected to that office, unless the municipality  
4 provides for runoff elections. A municipality may provide for  
5 runoff elections as follows:

6                   (1) a municipality that has not adopted a  
7 charter pursuant to Article 10, Section 6 of the constitution  
8 of New Mexico may provide by ordinance for runoff elections;

9                   (2) a municipality that has adopted a charter  
10 pursuant to Article 10, Section 6 of the constitution of New  
11 Mexico shall hold elections in accordance with the charter if,  
12 prior to the approval of this amendment, the charter provided  
13 for runoff elections and continues to do so;

14                   (3) a municipality that has adopted a charter  
15 pursuant to Article 10, Section 6 of the constitution of New  
16 Mexico may provide for runoff elections by a charter amendment  
17 adopted by majority vote of the qualified electors voting on  
18 the question in a municipal election; or

19                   (4) a municipality may provide for runoff  
20 elections in a charter it adopts pursuant to Article 10,  
21 Section 6 of the constitution of New Mexico. "

22                   Section 2. The amendment proposed by this resolution  
23 shall be submitted to the people for their approval or  
24 rejection at the next general election or at any special  
25 election prior to that date that may be called for that purpose.