

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 125

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Dianne Miller Hamilton

AN ACT

RELATING TO ELECTIONS; INCREASING THE PENALTY FOR FALSE VOTING,  
FRAUDULENT VOTING, DOUBLE VOTING AND REGISTRATION OFFENSES.

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

SECTION 1. Section 1-20-3 NMSA 1978 (being Laws 1969,  
Chapter 240, Section 428, as amended by Laws 1993, Chapter 314,  
Section 60 and also by Laws 1993, Chapter 316, Section 58) is  
amended to read:

"1-20-3. REGISTRATION OFFENSES.--

A. Registration offenses consist of performing any  
of the following acts willfully and with knowledge and intent  
to deceive any registration officer or to subvert the  
registration requirements of the law or rights of any qualified  
elector:

[A.] (1) signing or offering to sign a

.191163.1

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 certificate of registration when not a qualified elector;

2 [B-] (2) falsifying any information on the  
3 certificate of registration;

4 [G-] (3) soliciting, procuring, aiding,  
5 abetting, inducing or attempting to solicit, procure, aid, abet  
6 or induce any person to register or attempt to register with  
7 the name of any other person, whether real, deceased or  
8 fictitious; or

9 [D-] (4) destroying the certificate of  
10 registration of any qualified elector, or removing such  
11 certificate from its proper binder or file, except as provided  
12 in the Election Code.

13 B. Whoever commits a registration offense is guilty  
14 of a [fourth] third degree felony."

15 SECTION 2. Section 1-20-8 NMSA 1978 (being Laws 1969,  
16 Chapter 240, Section 432, as amended) is amended to read:

17 "1-20-8. FALSE VOTING.--

18 A. False voting consists of:

19 [A-] (1) voting or offering to vote with the  
20 knowledge of not being a qualified elector;

21 [B-] (2) voting or offering to vote in the  
22 name of any other person;

23 [G-] (3) voting or offering to vote more than  
24 once in the same election;

25 [D-] (4) falsifying any information on an

.191163.1

underscored material = new  
[bracketed material] = delete

1 absentee ballot official mailing envelope or affixing a  
2 signature or mark other than one's own on an absentee ballot  
3 official mailing envelope;

4 [E-] (5) inducing, abetting or procuring or  
5 attempting to induce, abet or procure a person known to not be  
6 a qualified elector to vote; or

7 [F-] (6) inducing, abetting or procuring or  
8 attempting to induce, abet or procure a person who, having  
9 voted once in any election, to vote or attempt to vote again at  
10 the same election.

11 B. Whoever commits false voting is guilty of a  
12 [fourth] third degree felony."

13 SECTION 3. Section 1-20-8.1 NMSA 1978 (being Laws 1969,  
14 Chapter 240, Section 248) is amended to read:

15 "1-20-8.1. CONDUCT OF ELECTION--FRAUDULENT AND DOUBLE  
16 VOTING.--Every person not entitled to vote who fraudulently  
17 votes, and every person who votes or offers to vote more than  
18 once at any one election, is guilty of a [fourth] third degree  
19 felony."