

1 SENATE BILL 218

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Howie C. Morales

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10 AN ACT

11 RELATING TO ELECTIONS; ALLOWING A PROSPECTIVE CANDIDATE FOR
12 CERTAIN OFFICES TO PAY A FILING FEE IN LIEU OF SUBMITTING A
13 NOMINATING PETITION WHEN FILING A DECLARATION OF CANDIDACY.

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

16 SECTION 1. A new section of the Primary Election Law is
17 enacted to read:

18 "[NEW MATERIAL] FILING FEE IN LIEU OF NOMINATING
19 PETITIONS.--

20 A. In lieu of submitting a nominating petition with
21 a declaration of candidacy as required by the provisions of
22 Chapter 1, Article 8 NMSA 1978, a prospective candidate for an
23 office listed in Subsection B of this section may instead pay
24 to the proper filing officer the appropriate filing fee
25 specified in Subsection B of this section. The fee shall be

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1 paid when the candidate files a declaration of candidacy with
2 the proper filing officer.

3 B. Filing fees for candidates are as follows:

4 (1) for the offices of United States senator,
5 United States representative, governor, lieutenant governor,
6 state auditor, state treasurer, attorney general, commissioner
7 of public lands, secretary of state, public regulation
8 commissioner, district attorney and elective judicial offices
9 in the judicial department, one percent of the salary of the
10 office sought; and

11 (2) for the offices of state senator and state
12 representative, five hundred dollars (\$500).

13 C. All fees collected pursuant to this section
14 shall be deposited in the voting system revolving fund."

15 SECTION 2. Section 1-8-42 NMSA 1978 (being Laws 1973,
16 Chapter 228, Section 12) is amended to read:

17 "1-8-42. PRIMARY ELECTION LAW--PAUPER'S STATEMENT IN LIEU
18 OF FILING FEE.--In the event any candidate is unable to pay the
19 filing fee prescribed by [~~the Primary Election Law, he~~] Section
20 1-8-41 NMSA 1978, the candidate may file a statement with the
21 proper filing officer at the time [~~he~~] the candidate files
22 [~~his~~] a declaration of candidacy to the effect that [~~he~~] the
23 candidate is without financial means to pay such filing fee.
24 The statement shall be sworn and subscribed to on the form
25 prescribed by the secretary of state and furnished to each

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1 county clerk and shall be attached by the proper filing officer
2 to the declaration of candidacy."

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