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SENATE BILL 63

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Jacob R. Candelaria

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO VOTER REGISTRATION; ENACTING A NEW SECTION OF  
CHAPTER 1, ARTICLE 4 NMSA 1978 TO PROVIDE FOR VOTER  
REGISTRATION THROUGH THE NEW MEXICO HEALTH INSURANCE EXCHANGE;  
ENACTING A NEW SECTION OF THE NEW MEXICO HEALTH INSURANCE  
EXCHANGE ACT TO REQUIRE VOTER REGISTRATION REPORTING TO THE  
SECRETARY OF STATE.

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

**SECTION 1.** A new section of Chapter 1, Article 4 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] NEW MEXICO HEALTH INSURANCE EXCHANGE--  
VOTER REGISTRATION.--

A. A person who applies to enroll in or renew  
enrollment in a qualified health plan shall be simultaneously  
registered to vote:

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1 (1) if the applicant or enrollee consents to  
2 registration; and

3 (2) if the applicant or enrollee who  
4 prospectively registers to vote is in fact qualified to  
5 register to vote.

6 B. The chief executive officer of the exchange shall  
7 identify employees or agents of the exchange that shall be  
8 charged with administration of voter registration of qualified  
9 health plan applicants and enrollees at sites at which the  
10 exchange provides in-person assistance to applicants for or  
11 enrollees in qualified health plans.

12 C. Any site at which the exchange provides in-  
13 person assistance to applicants for or enrollees of qualified  
14 health plans shall post signs visible to applicants and  
15 enrollees stating "voter registration assistance available"  
16 and:

17 (1) personnel in each office shall advise each  
18 applicant and enrollee that initial voter registration or a  
19 change of address for voter registration may be made  
20 simultaneously by qualified electors with enrollment in or  
21 renewal of a qualified health plan;

22 (2) voter registration shall be conducted in a  
23 manner such that the prospective registrant completes the full  
24 certificate of registration electronically; and

25 (3) the prospective registrant's digital

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1 signature shall be affixed to the certificate of registration  
2 using an electronic signature in conformance with the  
3 Electronic Authentication of Documents Act and the Uniform  
4 Electronic Transactions Act.

5 D. An agent or employee of the exchange shall not  
6 intentionally influence the prospective registrant in the  
7 selection of political party, or independent status, by word or  
8 act. An agent or employee of the exchange shall not reveal the  
9 existence of or the nature of the voter registration to anyone  
10 other than a registration officer.

11 E. A voter registration made or accepted at an  
12 exchange in-person assistance site shall be transmitted to the  
13 secretary of state and the appropriate registration officer  
14 within seven calendar days.

15 F. The secretary of state shall work with the chief  
16 executive officer of the exchange to:

17 (1) ensure compliance in the application of  
18 the provisions of this section with the federal National Voter  
19 Registration Act of 1993;

20 (2) ensure consistent implementation in the  
21 various counties, based on county classification and developing  
22 technology; and

23 (3) develop procedures to ensure that, once  
24 voter registration information is transmitted to the  
25 appropriate registration officer, the voter's certificate of

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1 registration is printed and placed in the county's register of  
2 voters.

3 G. For the purposes of this section:

4 (1) "exchange" means the New Mexico health  
5 insurance exchange established pursuant to the New Mexico  
6 Health Insurance Exchange Act; and

7 (2) "qualified health plan" means health  
8 insurance coverage offered through the exchange."

9 SECTION 2. A new section of the New Mexico Health  
10 Insurance Exchange Act is enacted to read:

11 "[NEW MATERIAL] VOTER REGISTRATION--REPORTING.--The chief  
12 executive officer of the exchange shall report annually the  
13 following information to the secretary of state pursuant to the  
14 chief executive officer's duties as provided in Section 1 of  
15 this 2014 act:

16 A. the number of applicants or enrollees applying  
17 to enroll or to renew enrollment in a qualified health plan who  
18 have registered to vote in the preceding calendar year; and

19 B. the number of applicants or enrollees applying  
20 to enroll or to renew enrollment in a qualified health plan who  
21 have updated their voter registration with a change of address  
22 during the preceding calendar year."