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HOUSE BILL 98

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

Tomás E. Salazar and Daniel A. Ivey-Soto

AN ACT

RELATING TO ELECTIONS; REQUIRING THE SECRETARY OF STATE TO  
ESTABLISH PROCEDURES BY WHICH BLIND OR VISUALLY IMPAIRED VOTERS  
MAY INDEPENDENTLY MARK THEIR BALLOTS.

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

SECTION 1. Section 1-9-7.1 NMSA 1978 (being Laws 2005,  
Chapter 270, Section 56, as amended) is amended to read:

"1-9-7.1. VOTING SYSTEM--USE OF PAPER BALLOT--ACCESS FOR  
BLIND OR VISUALLY IMPAIRED VOTERS.--

A. All voting systems used in elections covered by  
the Election Code shall use a paper ballot on which the voter  
physically or electronically marks the voter's choices on the  
ballot itself.

B. The secretary of state shall purchase the paper  
ballots for all counties to use for primary and general

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1 elections. If a system designed to print ballots at a polling  
2 location is certified and the voting system certification  
3 committee finds that its use in a polling place would result in  
4 cost savings, the secretary of state shall acquire such systems  
5 and paper ballot stock in lieu of fully preprinted paper  
6 ballots for those polling places where cost savings would be  
7 realized.

8 C. The paper ballot shall be used in a recount  
9 proceeding, and in case of a discrepancy, the paper ballot  
10 shall be considered the true and correct record of the voter's  
11 choices.

12 D. The secretary of state shall establish by rule  
13 procedures to enable blind or visually impaired voters to  
14 independently mark a paper ballot using nonvisual access or low  
15 vision access technology, whether voting in a polling place or  
16 by absentee ballot."