

SENATE RULES COMMITTEE SUBSTITUTE FOR
SENATE BILL 672

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH AND SAFETY; ALLOWING FOR VOTER REGISTRATION Hf6→ON ELECTION DAY AND←Hf6 DURING EARLY VOTING IN STATEWIDE AND SPECIAL ELECTIONS; PROVIDING FOR AUTOMATIC VOTER REGISTRATION AND UPDATES TO VOTER REGISTRATION.

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] REGISTRATION AT VOTING LOCATION PRIOR TO VOTING.--

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A. Notwithstanding the provisions in Section 1-4-8 NMSA 1978 providing for the closing of registration prior to an election, a qualified elector seeking to register to vote or update an existing certificate of registration in the state shall be allowed to do so at a voting location immediately before voting in that election Hf4→**as after signing an affidavit under oath that the elector has not voted in the election in this state or elsewhere, and as further**←Hf4 provided in this section.

B. During a statewide election, a qualified elector may register to vote or update an existing certificate of registration at the county clerk's office during the regular hours and days of business beginning on the twenty-eighth day preceding the election and from 10:00 a.m. to 6:00 p.m. on the Saturday immediately prior to the date of the election; provided that if the county clerk establishes an additional alternate voting location near the clerk's office in lieu of voting at the office of the county clerk, a qualified elector may register to vote or update an existing certificate of registration at that location during the regular hours and days of business beginning on the twenty-eighth day preceding the election and during the hours for voting at alternate voting locations commencing on the third Saturday prior to the election through the Saturday immediately prior to the election.

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C. During a statewide election, a qualified elector may register to vote or update an existing certificate of registration at an alternate voting location only if the county clerk has assigned a county clerk employee to be the clerk's authorized deputy to serve as a registration officer at the alternate voting location; provided that ninety days before the election, the county clerk shall post the location of each alternate voting location where a qualified elector may register to vote or update an existing certificate of registration immediately before voting.

D. During a special election, a qualified elector may register to vote or update an existing certificate of registration at the county clerk's office during the regular hours and days of business beginning on the twenty-eighth day preceding the election until the last regular business day the week prior to the date of the election.

Hf5→D. A voter shall not be allowed to change party affiliation when updating an existing certificate of registration or registering to vote at an early voting site or polling place during a primary election.←Hf5

Hf6→D. Beginning January 1, 2021 and upon the approval of the voting system certification committee, during a statewide election, a qualified elector may register to vote or update an existing certificate of registration at an election day voting location; provided that the secretary of state shall establish procedures to ensure that a registration officer has an opportunity to review the information of a qualified elector who registers to vote or updates an existing certificate of

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registration immediately before the qualified elector votes on election day. ←Hf6

E. A qualified elector seeking to register to vote or update an existing certificate of registration immediately before voting shall provide Hf1 → ~~a physical form of identification as provided in Subsection A of Section 1-1-24 NMSA 1978. The registration address shall match the address on a physical form of identification provided at the voting location.~~ ←Hf1

Hf1 → (1) a New Mexico driver's license or New Mexico identification card issued through the motor vehicle division of the taxation and revenue department;

(2) any document that contains an address in the county together with a photo identification card; or

(3) a current valid student photo identification card from a post-secondary educational institution in New Mexico accompanied by a current student fee statement that contains the student's address in the county. ←Hf1

Hf3 → F. If an early voting site or polling place does not have real-time access to the statewide electronic voter file, a voter desiring to update an existing certificate of registration or to register to vote shall be issued a provisional ballot. ←Hf3

Hf6 → ~~F.~~ G. ←Hf6 No later than June 30, 2021 and upon .215028.1

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the approval of the voting system certification committee, the secretary of state and the secretary of taxation and revenue shall develop a procedure for importing the list of eligible but unregistered persons with a driver's license or state-issued identification card into the voter registration electronic management system prior to an election to facilitate processing a new voter registration pursuant to this section."

SECTION 2. A new section of Chapter 1, Article 4 NMSA 1978 is enacted to read:

"[NEW MATERIAL] AUTOMATIC VOTER REGISTRATION; DRIVER'S LICENSE AND AGENCY REGISTRATION AND UPDATES TO REGISTRATION.--

A. In addition to the requirements of Section 1-4-47 NMSA 1978:

(1) a qualified elector registering to vote or updating an existing certificate of registration when conducting an in-person transaction to apply for or renew a driver's license or state-issued identification card shall not be required to provide a second time any information that duplicates information required in the driver's license portion of the transaction;

(2) the address of a voter who provides a different address when conducting an in-person transaction to apply for or renew a driver's license or state-issued identification card shall be updated on the voter's certificate of registration unless the voter declines to do so; and

(3) immediately at the conclusion of each in-person transaction to apply for or renew a driver's license or state-issued identification card, the person shall receive

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written notification by the motor vehicle division of the taxation and revenue department informing the person if a voter registration transaction was processed, and if so, providing information regarding any voter registration transaction delivered to the county clerk by the motor vehicle division as a result of that application for or renewal of a driver's license or state-issued identification card.

B. In addition to the requirements of Section 1-4-48 NMSA 1978:

(1) the human services department shall develop procedures to be approved by the secretary of state to ensure that each benefit program administered by the department appropriately ensures that qualified electors receiving benefits are offered the opportunity to register to vote or update an existing certificate of registration without duplication of information contained by the department or by the secretary of state. No later than the last day of August of each calendar year, the human services department shall issue an annual report detailing implementation of the requirements of this paragraph. The report shall be sent to the legislative council service, the secretary of state and each county clerk; and

(2) no later than June 30, 2020 and upon the approval of the voting system certification committee, the secretary of state and the secretary of taxation and revenue

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shall develop a procedure for using the address provided as a taxpayer to update the registration address of a voter who has been identified as having moved from the voter's precinct of residence pursuant to Section 1-4-48 NMSA 1978. The procedure shall include a requirement of notification to the voter at least one hundred twenty days before an election of the intent to update the registration address and the ability for a voter to decline to permit the update to take effect. Hf2→"←Hf2

Hf2→C. If a person who is not a qualified elector becomes registered to vote pursuant to this section, that registration shall not be valid and the county clerk shall remove the certificate of registration from the register of voters."←Hf2