SENATE JOINT RESOLUTION 22

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Bill Tallman

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 7, SECTION 5 OF THE
CONSTITUTION OF NEW MEXICO TO REQUIRE THE LEGISLATURE TO
PROVIDE BY LAW FOR RANKED-CHOICE VOTING IN ALL NONPARTISAN
ELECTIONS, TO ALLOW THE LEGISLATURE TO PROVIDE BY LAW FOR
RANKED-CHOICE VOTING IN PARTISAN ELECTIONS AND TO REQUIRE
MUNICIPALITIES TO PROVIDE FOR RANKED-CHOICE VOTING IN MUNICIPAL
ELECTIONS.

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

SECTION 1. It is proposed to amend Article 7, Section 5
of the constitution of New Mexico to read:

"A. All elections shall be by ballot.

B. The legislature [may] shall provide by law for
[runoff elections for] ranked-choice voting in all nonpartisan
elections other than municipal [primary or statewide] elections

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1 and may provide by law for ranked-choice voting in all partisan

2 elections. If the legislature does not provide for [runoff

3 elections] ranked-choice voting in elections for a particular

4 partisan office, the [person] candidate who receives the

5 highest number of votes for [any] that office [except as

6 provided in this section, and], except in the cases of the

7 offices of governor and lieutenant governor, shall be declared

8 elected to that office. The joint candidates receiving the

9 highest number of votes for the offices of governor and

10 lieutenant governor shall be declared elected to those offices,

11 unless the legislature provides by law for ranked-choice voting

12 in elections for those offices, in which case the joint

13 candidates receiving a majority of the votes for the offices of

14 governor or lieutenant governor shall be declared elected to

15 those offices.

16   C. [In a municipal election, the candidate that

17 receives the most votes for an office shall be declared elected

18 to that office, unless the municipality has provided for runoff

19 elections.] A municipality [may] shall provide for [runoff

20 elections as follows:

21   (1) a municipality that has not adopted a

22 charter pursuant to Article 10, Section 6 of the constitution

23 of New Mexico may provide by ordinance for runoff elections;

24   (2) a municipality that has adopted a charter

25 pursuant to Article 10, Section 6 of the constitution of New

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1　　Mexico, and prior to the adoption of this amendment the charter

2　　~~provided for runoff elections, shall hold runoff elections~~

3　　~~pursuant to the charter; or~~

4　　　　　　　~~(3)　a municipality that adopts or has adopted~~

5　　~~a charter pursuant to Article 10, Section 6 of the constitution~~

6　　~~of New Mexico may, subsequent to the adoption of this~~

7　　~~amendment, provide for runoff elections as provided in its~~

8　　~~charter~~] ranked-choice voting in all municipal elections."

9　　　　**SECTION 2.**　The amendment proposed by this resolution

10　　shall be submitted to the people for their approval or

11　　rejection at the next general election or at any special

12　　election prior to that date that may be called for that

13　　purpose.

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