

1 HOUSE BILL 510

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 John Block and Rebecca Dow

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9  
10 AN ACT

11 RELATING TO ELECTIONS; PROVIDING DUTIES OF BOARDS OF  
12 REGISTRATION; REQUIRING COUNTY CLERKS TO DEVELOP AND ADMINISTER  
13 EDUCATIONAL PROGRAMS FOR BOARDS OF REGISTRATION; REQUIRING  
14 INFORMATION RELATING TO THE CANCELLATION OF A VOTER'S  
15 REGISTRATION TO BE REPORTED TO BOARDS OF REGISTRATION;  
16 REQUIRING THE BOARDS OF REGISTRATION TO CERTIFY THE  
17 CANCELLATION OF ANY VOTER REGISTRATION; REQUIRING BOARDS OF  
18 REGISTRATION TO MEET QUARTERLY.

19  
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

21 SECTION 1. A new section of Chapter 1, Article 4 NMSA  
22 1978 is enacted to read:

23 "[NEW MATERIAL] BOARDS OF REGISTRATION--POWERS AND  
24 DUTIES.--The boards of registration shall:

25 A. meet no later than one month after nomination of

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- 1 the board's members;
- 2           B. choose a chair and a vice chair;
- 3           C. ensure that the county clerk is complying with
- 4 the relevant sections of the Election Code;
- 5           D. verify the cancellation of deceased residents
- 6 from voter lists as required pursuant to Chapter 1, Article 4
- 7 NMSA 1978;
- 8           E. maintain voter lists and certify that actions
- 9 taken by a county clerk are accurate;
- 10           F. certify that address changes are accounted for
- 11 in the voter lists using records from the motor vehicle
- 12 division of the taxation and revenue department; and
- 13           G. operate independently."

14           SECTION 2. A new section of Chapter 1, Article 4 NMSA  
15 1978 is enacted to read:

16           "[NEW MATERIAL] REQUIRED EDUCATION.--County clerks shall  
17 develop and administer programs annually that inform the board  
18 of registration about the board's responsibility to maintain  
19 accurate voter lists."

20           SECTION 3. Section 1-4-25 NMSA 1978 (being Laws 1969,  
21 Chapter 240, Section 81, as amended) is amended to read:

22           "1-4-25. CANCELLATION OF REGISTRATION--DETERMINATION OF  
23 DEATH.--

- 24           A. For purposes of cancellation of registration,
- 25 the death of a voter shall be ascertained by obituary notices

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1 or probate records or by comparison of registration records  
2 with monthly certified lists of deceased residents filed with  
3 the secretary of state.

4 B. The state registrar of vital statistics shall  
5 file monthly with the secretary of state certified lists of  
6 deceased residents over the age of eighteen years, sorted by  
7 county, regardless of the place of death.

8 C. The monthly certified list of deceased residents  
9 shall show the:

- 10 (1) name;
- 11 (2) age;
- 12 (3) sex;
- 13 (4) marital status;
- 14 (5) birth place;
- 15 (6) birth date;
- 16 (7) social security number, if any;
- 17 (8) address; and
- 18 (9) place and date of death of the deceased  
19 resident.

20 D. The secretary of state shall, upon receipt of  
21 the monthly certified list of deceased residents, forward each  
22 county's list to the county clerk and boards of registration.

23 E. The county clerk shall, upon receipt of the  
24 monthly certified list of deceased residents, cancel any  
25 deceased resident's certificate of registration and report

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1 these cancellations to boards of registration.

2 F. Upon receipt of a notarized document from the  
3 president or governor of an Indian nation, tribe or pueblo or  
4 from a tribal enrollment clerk indicating that a tribal member  
5 is deceased, the county clerk shall cancel the certification of  
6 registration of that deceased tribal member and report these  
7 cancellations to boards of registration."

8 SECTION 4. Section 1-4-28 NMSA 1978 (being Laws 1975,  
9 Chapter 255, Section 46, as amended) is amended to read:

10 "1-4-28. CANCELLATION OF REGISTRATION--CHANGE OF  
11 RESIDENCE--NOTICE.--

12 A. The secretary of state, county clerks and boards  
13 of registration, in compliance with the federal National Voter  
14 Registration Act of 1993, shall remove from the official list  
15 of eligible voters the names of voters who are ineligible to  
16 vote due to change of residence.

17 B. The secretary of state shall conduct a general  
18 program that identifies voters who may no longer reside at  
19 their address of registration. This program shall use  
20 information supplied by the United States postal service  
21 national change of address service. This program may also  
22 include, among other practices, identification of voters whose  
23 official election-related mail is returned and periodic  
24 mailings to voters to verify continued residency at their  
25 address of registration, provided such practices are uniform,

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1 nondiscriminatory and in compliance with the federal Voting  
2 Rights Act of 1965.

3 C. Between ninety and one hundred twenty days  
4 before the next general election, the secretary of state shall  
5 send to each voter who it appears has changed address from the  
6 voter's precinct of registration a notice, sent by forwardable  
7 mail, that shall include a postage prepaid and pre-addressed  
8 return card. The notice shall state that:

9 (1) if the voter did not change residency, the  
10 voter should return the card no later than twenty-eight days  
11 before the next general election;

12 (2) if the voter does not return the card, the  
13 voter may be provided an opportunity to update the voter's  
14 registration address before the voter casts a ballot in any  
15 election during the period beginning on the date of the notice  
16 and ending on the day after the second general election that  
17 occurs after the date of the notice;

18 (3) if the voter does not vote in any election  
19 during the period beginning on the date of that notice and  
20 ending on the day after the second general election that occurs  
21 after the date of the notice, the voter's registration may be  
22 canceled; and

23 (4) if the voter has changed residence within  
24 the same county, the voter should complete the place on the  
25 return card for the voter to indicate the address of the new

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1 residence and a request to have the voter's registration moved  
2 to that address in the same county.

3 D. If the voter returned the card indicating a new  
4 address and the address is:

5 (1) in the same county, the county clerk shall  
6 correct the official list of eligible voters in accordance with  
7 the change of residence information obtained on the return  
8 card; or

9 (2) in another county, the county clerk shall  
10 forward the return card to the appropriate county clerk, who  
11 shall process the change of residence as a new registration in  
12 the county.

13 E. No later than the fifteenth day of March  
14 following a general election, the board of registration shall  
15 review the list of eligible voters. The board of registration  
16 shall direct the county clerk to cancel the registration and  
17 shall certify the cancellation of any voter who has been sent  
18 notice in conformance with this section and who:

19 (1) has failed to respond to the notice sent  
20 in conformance with this section and has not voted or appeared  
21 to vote in any election during the period beginning on the date  
22 of the notice and ending on the day after the second general  
23 election that occurs after the date of the notice; or

24 (2) has confirmed in writing that the voter  
25 has changed residence to a place outside the state."

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1 SECTION 5. Section 1-4-38 NMSA 1978 (being Laws 1969,  
2 Chapter 240, Section 94, as amended) is amended to read:

3 "1-4-38. BOARD OF REGISTRATION--MEETINGS.--

4 A. All meetings of the board of registration shall  
5 be open meetings held in accordance with the Open Meetings Act.

6 B. The board of registration shall meet quarterly.

7 [~~B.~~] C. All reports and other records of the board  
8 of registration shall be open to public inspection pursuant to  
9 the Inspection of Public Records Act.

10 [~~C.~~] D. A person's month and day of birth, and any  
11 part of a person's driver's license number or other identifier  
12 assigned by the motor vehicle division of the taxation and  
13 revenue department, state or federal tax identification number  
14 or social security number shall not be disclosed in any meeting  
15 or in any record of the board of registration made available to  
16 the public. This subsection does not preclude disclosure of a  
17 person's unique identifier as defined in Section 1-1-23 NMSA  
18 1978.

19 [~~D.~~] E. Members of the board of registration are  
20 entitled to receive per diem and mileage as provided in the Per  
21 Diem and Mileage Act, to be paid out of the election funds  
22 appropriated to the county clerk from the county general fund."