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**HOUSE BILL 250**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Debbie A. Rodella**

**AN ACT**

**RELATING TO ELECTIONS; REQUIRING COUNTY AND MUNICIPAL CLERKS  
TO MAKE AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY  
AN UPDATED ABSENTEE BALLOT REGISTER.**

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

**Section 1. Section 1-6-6 NMSA 1978 (being Laws 1969,  
Chapter 240, Section 132, as amended) is amended to read:**

**"1-6-6. ABSENTEE BALLOT REGISTER. --**

**A. For each election, the county clerk shall keep  
an "absentee ballot register", in which he shall enter:**

**(1) the name and address of each absentee  
ballot applicant;**

**(2) the date and time of receipt of the  
application;**

**(3) whether the application was accepted or**

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1 rejected;

2 (4) the date of issue of an absentee ballot  
3 in the county clerk's office or at an alternate location or  
4 the mailing of an absentee ballot to the applicant;

5 (5) the applicant's precinct;

6 (6) whether the applicant is a voter, a  
7 federal voter, a federal qualified elector or an overseas  
8 citizen voter; and

9 (7) the date and time the completed absentee  
10 ballot was received from the applicant by the county clerk or  
11 the absent voter voted in the county clerk's office or at an  
12 alternate location.

13 B. Within twenty-four hours after receipt of a  
14 voter's application for an absentee ballot, the county clerk  
15 shall mail either the ballot or a notice of rejection to the  
16 applicant.

17 C. The absentee ballot register is a public record  
18 open to public inspection in the county clerk's office during  
19 regular office hours. The county clerk shall have an updated  
20 absentee ballot register available for public inspection  
21 Monday through Friday during regular office hours.

22 D. The county clerk shall deliver to the absent  
23 voter precinct on election day a complete list of all absentee  
24 ballot applicants with applicable information shown in the  
25 absentee ballot register for each applicant up to 5:00 p.m. on

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1 the Thursday preceding the election. The county clerk shall  
2 deliver a signature roster containing the same information as  
3 the lists to the absent voter precinct board.

4 E. The county clerk shall transmit to the  
5 secretary of state and to the county chairman of each of the  
6 major political parties in the county a complete copy of  
7 entries made in the absentee ballot register. Such  
8 transmissions shall be made once each week beginning four  
9 weeks immediately prior to the election. A final copy shall  
10 be transmitted on the Friday immediately following the  
11 election. "

12 Section 2. Section 3-9-5 NMSA 1978 (being Laws 1973,  
13 Chapter 375, Section 6, as amended) is amended to read:

14 "3-9-5. ABSENTEE BALLOT REGISTER. --

15 A. For each election, the municipal clerk shall  
16 keep an "absentee ballot register" in which he shall enter:

- 17 (1) in numerical sequence, the name and  
18 municipal address of each absentee ballot applicant;
- 19 (2) the date and time of receipt of the  
20 application;
- 21 (3) whether the application was accepted or  
22 rejected;
- 23 (4) the date of delivery to the voter in  
24 person in the office of the municipal clerk, or mailing of an  
25 absentee ballot to the applicant, the method of delivery and,

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1 if mailed, the address to which the ballot was mailed;

2 (5) the applicant's precinct and district  
3 number, if applicable;

4 (6) whether the applicant is a voter, a  
5 federal voter or a federal qualified elector;

6 (7) affidavits of voters who did not receive  
7 absentee ballots; and

8 (8) the date and time the completed ballot  
9 was received from the applicant by the municipal clerk.

10 B. The absentee ballot register is a public record  
11 open to public inspection in the municipal clerk's office  
12 during regular office hours and shall be preserved for two  
13 years after the date of the election. The municipal clerk  
14 shall have an updated absentee ballot register available for  
15 public inspection Monday through Friday during regular office  
16 hours.

17 C. For the purposes of recordkeeping, the absentee  
18 register may be combined with the early voting register,  
19 provided that the method of balloting shall be labeled either  
20 "absentee ballot" or "early voter". "