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HOUSE BILL 260

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

INTRODUCED BY

James Roger Madalena

AN ACT

RELATING TO ELECTIONS; PROVIDING EMPLOYEES WITH TIME TO VOTE
IN TRIBAL OR PUEBLO ELECTIONS.

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

Section 1. Section 1-12-42 NMSA 1978 (being Laws 1969,
Chapter 240, Section 302) is amended to read:

"1-12-42. CONDUCT OF ELECTION--EMPLOYEES--TIME TO
VOTE. --

A. On election day [~~any~~] a voter may absent
himself from employment in which he is engaged for two hours
for the purpose of voting between the time of opening and the
time of closing the polls. The voter shall not be liable to
any penalty for such absence; however, the employer may
specify the hours during this period in which the voter may be
absent.

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B. The provisions of Subsection A of this section do not apply to ~~[any]~~ an employee whose work day begins more than two hours subsequent to the time of opening the polls, or ends more than three hours prior to the time of closing the polls.

C. The provisions of Subsection A of this section apply to elections of Indian nations, tribes or pueblos for a voter who is enrolled as a member of the Indian nation, tribe or pueblo and is qualified to vote in the election.

~~[C.—Any]~~ D. A person ~~[or corporation]~~ who refuses the right granted in this section to ~~[any]~~ an employee is guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100). "