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SENATE BILL 802

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

INTRODUCED BY

Dianna J. Duran

AN ACT

RELATING TO ELECTIONS; CREATING A VOTER IDENTIFICATION PILOT PROGRAM; REQUIRING VOTER IDENTIFICATION WHEN VOTING; PRESCRIBING PENALTIES.

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

Section 1. Section 1-12-10 NMSA 1978 (being Laws 1969, Chapter 240, Section 249, as amended) is amended to read:

"1-12-10. CONDUCT OF ELECTION--VOTER'S NAME, ADDRESS, SIGNATURE. --

A. When a voter presents himself at the polls to vote, he shall announce his name and address in an audible tone of voice. When an election judge finds the voter's name in the signature roster, he shall in like manner repeat the name of the voter. The election judge shall then ask the voter to present any one of the following forms of

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1 identification: a New Mexico voter identification card, a  
2 social security card, a valid New Mexico driver's license or  
3 any other identification card issued by an agency of the  
4 state, one of its political subdivisions or the United States;  
5 any picture identification card, credit card or current bill  
6 with the voter's address; or any valid employee identification  
7 card containing a photograph of the voter and issued by an  
8 employer of the voter in the ordinary course of the employer's  
9 business. If a voter is entitled to vote except that he is  
10 unable to present one of the forms of identification listed  
11 above, he shall be allowed to vote only after he executes an  
12 oath of voter form swearing or affirming that he is the named  
13 registered voter who he claims to be. The voter shall then  
14 sign his name or make his mark on the signature line in the  
15 copy of the signature roster to be returned to the county  
16 clerk. Upon the voter's name or mark being written in the  
17 signature roster, a challenge may be interposed as provided in  
18 the Election Code.

19 B. Knowingly executing a false statement  
20 constitutes perjury as provided in Section 30-25-1 NMSA 1978,  
21 and voting on the basis of a falsely executed statement  
22 constitutes false voting pursuant to Section 1-20-8 NMSA 1978.

23 C. The provisions in Subsection A of this section  
24 requiring voter identification shall apply only to the eight  
25 counties participating in the voter identification pilot

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1 program. The secretary of state, in consultation with the  
2 county clerks of the state, shall select eight counties to  
3 participate in the voter identification pilot program. The  
4 voter identification requirements in Subsection A of this  
5 section shall apply to the eight selected counties. The  
6 county clerks of the eight counties shall report to the  
7 secretary of state on the efficacy of the voter identification  
8 requirements after the general election held in 2002. The  
9 secretary of state shall make recommendations to the  
10 legislature on any modifications necessary to implement voter  
11 identification requirements on a statewide basis. The pilot  
12 project shall terminate after the 2002 general election."