

1 SENATE JOINT RESOLUTION 8

2 **45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002**

3 INTRODUCED BY

4 Leonard Lee Rawson

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO ARTICLE 7 OF THE CONSTITUTION OF NEW
12 MEXICO TO AUTHORIZE MUNICIPALITIES TO CONDUCT RUNOFF
13 ELECTIONS.

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

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

18 "A. All elections shall be by ballot [~~and~~]. The
19 person who receives the highest number of votes for any
20 office, except as provided in Subsection B of this section,
21 and except in the cases of the offices of governor and
22 lieutenant governor, shall be declared elected [~~thereto~~] to
23 that office. The joint candidates receiving the highest
24 number of votes for the offices of governor and lieutenant
25 governor shall be declared elected to those offices.

B. In a municipal election, the candidate who
receives the highest number of votes for an office shall be
declared elected to that office, unless the municipality
provides for runoff elections. A municipality may provide for
runoff elections as follows:

.139960.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 (1) a municipality that has not adopted a
2 charter pursuant to Article 10, Section 6 of the constitution
3 of New Mexico may provide by ordinance for runoff elections;

4 (2) a municipality that has adopted a charter
5 pursuant to Article 10, Section 6 of the constitution of New
6 Mexico shall hold elections in accordance with the charter if,
7 prior to the approval of this amendment, the charter provided
8 for runoff elections and continues to do so;

9 (3) a municipality that has adopted a charter
10 pursuant to Article 10, Section 6 of the constitution of New
11 Mexico may provide for runoff elections by a charter amendment
12 adopted by majority vote of the qualified electors voting on
13 the question in a municipal election; or

14 (4) a municipality may provide for runoff
15 elections in a charter it adopts pursuant to Article 10,
16 Section 6 of the constitution of New Mexico."

17 Section 2. The amendment proposed by this resolution
18 shall be submitted to the people for their approval or
19 rejection at the next general election or at any special
20 election prior to that date that may be called for that purpose.