

HOUSE VOTERS AND ELECTIONS COMMITTEE SUBSTITUTE FOR
HOUSE BILL 191

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

AN ACT

RELATING TO ELECTIONS; PROVIDING FOR PROVISIONS TO ALLOW A
VOTER TO REQUEST THAT AN ABSENTEE BALLOT BE SENT TO THE VOTER
AUTOMATICALLY FOR ALL ELECTIONS HELD PURSUANT TO THE ELECTION
CODE.

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

Section 1. A new section of the Election Code is enacted
to read:

"[NEW MATERIAL] ABSENTEE BALLOT APPLICATION--PERMANENT
ABSENTEE VOTER LIST.--

A. A voter may request to be included on a
permanent list of voters to receive an absentee ballot for all
elections held pursuant to the Election Code. The county clerk
of each county shall maintain a permanent absentee voter list.

B. In order to be included on the permanent

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1 absentee voter list, the voter shall make a written request
2 specifically requesting that the voter's name be added to the
3 permanent absentee voter list for all elections conducted
4 pursuant to the Election Code in which the applicant is
5 eligible to vote. The application shall allow for the voter to
6 provide the voter's name, residence address, mailing address,
7 date of birth and signature.

8 C. On the first day of absentee voting, the county
9 clerk shall mail an absentee ballot to all eligible voters
10 included on the permanent absentee voter list. If the voter
11 has not notified the election officer within forty-five days
12 before an election that the voter does not wish to receive an
13 absentee ballot by mail for the election, the ballot shall
14 automatically be scheduled for mailing.

15 D. After a voter has requested to be included on
16 the permanent absentee voter list, the voter shall be sent an
17 absentee ballot by mail automatically for any election at which
18 a voter at that residence address is eligible to vote until any
19 of the following occurs:

20 (1) the voter requests in writing to be
21 removed from the permanent absentee voter list;

22 (2) the voter's registration or eligibility
23 for registration is moved to inactive status or canceled as
24 otherwise provided by law; or

25 (3) the absentee ballot sent by the county

1 clerk is returned undeliverable.

2 E. A voter's failure to vote an absentee ballot
3 once received does not constitute grounds to remove the voter
4 from the permanent absentee voter list."

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