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HOUSE BILL 62

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

James E. Smith and Daniel A. Ivey-Soto

AN ACT

RELATING TO ELECTIONS; GRANTING AUTHORITY TO THE SECRETARY OF STATE TO COOPERATE WITH LOCAL, STATE AND FEDERAL AGENCIES ON VERIFICATION OF VOTER REGISTRATION INFORMATION; PRESCRIBING CERTAIN PROCEDURES.

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

SECTION 1. A new section of Chapter 1, Article 4 NMSA 1978 is enacted to read:

"[NEW MATERIAL] AUTHORIZATION TO VERIFY VOTER REGISTRATION INFORMATION--INVESTIGATION AND RECONCILIATION.--

A. The secretary of state may:

(1) provide to the chief election officer of another state or a consortium of chief election officers of other states information that is requested, including social security numbers, dates of birth, driver's licenses and

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1 identification card numbers and other information that the
2 secretary of state deems necessary for the chief election
3 officer of that state or for the consortium to maintain a voter
4 registration list, if the secretary of state is satisfied that
5 the information provided pursuant to this paragraph will be
6 used only for the maintenance of that voter registration list;
7 and

8 (2) request from the chief election officer of
9 another state or a consortium of chief election officers of
10 other states information that the secretary of state deems
11 necessary to maintain the statewide voter registration list.

12 B. The secretary of state may enter into a written
13 agreement with an agency or political subdivision of this state
14 or with a department of the federal government pursuant to
15 which the state agency, political subdivision or federal
16 department shall provide to the secretary of state information
17 that is in the possession of the state agency, political
18 subdivision or federal department and that the secretary of
19 state deems necessary to maintain the statewide voter
20 registration list.

21 C. The secretary of state may enter into a written
22 agreement with the secretary of taxation and revenue to match
23 information in the database of the voter registration
24 electronic management system with information in the database
25 of the motor vehicle division of the taxation and revenue

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1 department to the extent required to enable each official to
2 verify the accuracy of the information provided on applications
3 for voter registration. Upon the execution of the written
4 agreement, the secretary of taxation and revenue shall enter
5 into an agreement with the federal commissioner of social
6 security pursuant to 42 U.S.C. Section 15483 (now 52 U.S.C.
7 Section 21083), for the purpose of verifying applicable
8 information.

9 D. The secretary of state shall provide to the
10 appropriate county clerk in this state and to no other person
11 all information or documentation received by the secretary of
12 state from or through an agency or political subdivision of
13 this state, a federal department, the chief election officer of
14 another state or a consortium of chief election officers of
15 other states that calls into question the information provided
16 on a certificate of registration; that raises questions
17 regarding the status of a person registered to vote in this
18 state; or that suggests that a voter may have voted in two
19 states during the same election. The county clerk shall only
20 disclose information received from the secretary of state
21 pursuant to this subsection to complete an investigation
22 pursuant to this section.

23 E. The county clerk shall investigate or reconcile
24 the information received from the secretary of state. The
25 secretary of state shall develop and maintain a manual for

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1 county clerks that describes best practices in investigating
2 and reconciling information that is derived from comparisons of
3 different databases, including safeguards to ensure that
4 eligible voters are not removed in error from the official list
5 of voters."

6 SECTION 2. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2015.