

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
SENATE BILL 643

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

AN ACT

RELATING TO ELECTIONS; CHANGING REQUIREMENTS AND PROCEDURES FOR  
VOTER REGISTRATION; PROVIDING PROCEDURES AND REQUIREMENTS FOR  
REGISTRATION BY ELECTRONIC MEANS.

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

SECTION 1. Section 1-4-18.1 NMSA 1978 (being Laws 2013,  
Chapter 91, Section 1) is amended to read:

"1-4-18.1. ONLINE VOTER REGISTRATION [UPDATES].--

~~[A. In addition to updating a certificate of  
registration in person or by mail, a voter may in accordance  
with the provisions of Sections 1-4-15 through 1-4-18 NMSA 1978  
update an existing certificate of registration electronically  
by completing a certificate of registration form on the  
secretary of state's web site. Upon receipt of an updated  
certificate of registration, the secretary of state shall~~

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underscored material = new  
[bracketed material] = delete

1 ~~transmit the certificate to the county clerk of the county in~~  
2 ~~which the registrant resides, and the county clerk shall print~~  
3 ~~the updated certificate, file it in the county's register of~~  
4 ~~voters and enter it into the statewide voter file.~~

5 ~~B. A certificate of registration updated~~  
6 ~~electronically shall be electronically authenticated by the~~  
7 ~~registrant using an electronic signature in conformance with~~  
8 ~~the Electronic Authentication of Documents Act and the Uniform~~  
9 ~~Electronic Transactions Act. A certificate of registration~~  
10 ~~that is electronically authenticated in accordance with the~~  
11 ~~provisions of this subsection shall be deemed to have been~~  
12 ~~subscribed and sworn to by the registrant.~~

13 ~~G. The secretary of state shall ensure that the web~~  
14 ~~site used for electronic registration is secure and that the~~  
15 ~~confidentiality of all users and integrity of data submitted~~  
16 ~~are preserved. The secretary of state shall implement the~~  
17 ~~provisions of this section no later than June 30, 2015.]~~

18 A. A person may complete a certificate of  
19 registration in person or by mail. In addition, the secretary  
20 of state shall, not later than January 1, 2016, allow a voter  
21 to submit an update to an existing certificate of registration  
22 and, not later than July 1, 2017, allow a qualified elector to  
23 submit a new certificate of registration form electronically  
24 through a web site authorized by the secretary of state or  
25 through any computer system maintained by a state agency for

1 electronic voter registration that is approved by the secretary  
2 of state; provided that the person is qualified to register to  
3 vote and has a current or expired New Mexico driver's license  
4 or state identification card issued by the motor vehicle  
5 division of the taxation and revenue department.

6 B. An online certificate of registration form shall  
7 contain all of the information that is required for a paper  
8 form. The person shall also be required to provide the  
9 person's full New Mexico driver's license number or state  
10 identification card number.

11 C. When a person submits a new certificate of  
12 registration or an update to an existing certificate of  
13 registration, the person shall mark the box associated with the  
14 following statement included as part of the electronic  
15 certificate of registration form:

16 "By clicking the boxes below, I swear or affirm all of the  
17 following:

18  I am the person whose name and identifying  
19 information is provided on this form, and I desire to register  
20 to vote in the state of New Mexico; and

21  all of the information that I have provided on  
22 this form is true and correct as of the date I am submitting  
23 this form."

24 D. Prior to January 1, 2016, the secretary of  
25 state, in conjunction with the county clerks of the state,

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1 shall adopt rules establishing a uniform and nondiscriminatory  
2 process to match the information contained in the voter  
3 registration election management system with the database of  
4 the motor vehicle division of the taxation and revenue  
5 department or the federal social security administration for  
6 electronic certificates of registration updates completed  
7 pursuant to this section.

8 E. Prior to January 1, 2017, the secretary of  
9 state, in conjunction with the county clerks of the state,  
10 shall adopt rules establishing a uniform and nondiscriminatory  
11 process to match the information contained in the voter  
12 registration election management system with the database of  
13 the motor vehicle division of the taxation and revenue  
14 department or the federal social security administration for  
15 all electronic certificates of registration completed pursuant  
16 to this section.

17 F. Electronically submitted certificate of  
18 registration application forms shall retain the dates of  
19 submission by the qualified elector and of acceptance by the  
20 county clerk.

21 G. For purposes of deadlines contained in the  
22 Election Code, the time and date of the submission by the  
23 qualified elector shall be considered the time and date when  
24 the certificate of registration is received by the county  
25 clerk.

1           H. The secretary of state shall ensure that the web  
2           sites used for electronic voter registration are secure and  
3           that the confidentiality of all users and the integrity of data  
4           submitted are preserved."

5           SECTION 2. Section 1-5-30 NMSA 1978 (being Laws 1989,  
6 Chapter 298, Section 1, as amended) is amended to read:

7           "1-5-30. SECRETARY OF STATE--ESTABLISHMENT OF STATEWIDE  
8 COMPUTERIZED VOTER REGISTRATION SYSTEM.--

9           A. The secretary of state shall develop, implement,  
10 establish and supervise a statewide computerized voter  
11 registration system that complies with the federal Help America  
12 Vote Act of 2002 to facilitate voter registration and to  
13 provide a central database containing voter registration  
14 information for New Mexico.

15           B. The statewide computerized voter registration  
16 system shall:

17                   (1) provide for the establishment and  
18 maintenance of a central database for all voter registration  
19 information;

20                   (2) permit the offices of all county clerks to  
21 add, modify and delete county information from the system to  
22 provide for accurate and up-to-date records;

23                   (3) permit the offices of the county clerks  
24 and the bureau of elections to have access to the central  
25 database for review and search capabilities;

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1 (4) provide security and protection for all  
2 information in the central database and monitor the central  
3 database to ensure the prevention of unauthorized entry;

4 (5) provide procedures for the electronic  
5 receipt of voter registration application and update  
6 information, including digitized and electronic signatures,  
7 photographs and other data provided by the motor vehicle  
8 division of the taxation and revenue department or the federal  
9 social security administration;

10 [~~5~~] (6) provide procedures for entering data  
11 into the central database; and

12 [~~6~~] (7) provide a centralized system for  
13 each county to enter the precinct to which a voter should be  
14 assigned for voting purposes."

15 SECTION 3. EFFECTIVE DATE.--The effective date of the  
16 provisions of this act is July 1, 2015.