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SENATE BILL 2

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

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AN ACT

RELATING TO ELECTIONS; PROVIDING FOR THE AUTOMATIC REGISTRATION TO VOTE OF QUALIFIED ELECTORS WHO APPLY FOR A DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED BY THE STATE AND WHO DO NOT DECLINE TO BE REGISTERED; PROVIDING PROCEDURES TO AUTOMATICALLY REGISTER TO VOTE QUALIFIED ELECTORS WHO HAVE A DRIVER'S LICENSE OR IDENTIFICATION CARD AND WILL BE AT LEAST EIGHTEEN YEARS OF AGE ON OR BEFORE THE NEXT GENERAL ELECTION.

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

SECTION 1. Section 1-4-47 NMSA 1978 (being Laws 1991, Chapter 80, Section 4, as amended) is amended to read:

"1-4-47. DRIVER'S LICENSE VOTER REGISTRATION.--

A. Every person who is a qualified elector and is applying for a driver's license, to renew a driver's license or for an identification card shall ~~[if qualified to register to~~

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1 ~~vote, with the consent of the applicant]~~ be simultaneously
2 registered to vote, unless the person:

3 (1) affirmatively declines to become
4 registered to vote; or

5 (2) does not attest that the person meets all
6 voter eligibility requirements, including United States
7 citizenship.

8 B. A person who is not a qualified elector because
9 the person will not be eighteen years of age on or before the
10 next general election and who is applying for a driver's
11 license or for an identification card shall simultaneously pre-
12 register to vote, unless the person affirmatively declines to
13 pre-register to vote. The secretary of state shall promulgate
14 rules outlining the information necessary for pre-registration.

15 ~~[B-]~~ C. The secretary of taxation and revenue shall
16 select certain employees of the motor vehicle division of the
17 taxation and revenue department or employees of entities on
18 contract to provide field services to the motor vehicle
19 division to provide assistance to any applicant requesting
20 voter registration assistance.

21 ~~[G-]~~ D. Every motor vehicle division office, field
22 office or contract field office of the division shall display
23 within the offices clearly visible signs stating "voter
24 registration assistance available" and:

25 (1) personnel in each office shall advise each

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1 person who is a qualified elector and an applicant for
2 licensure or renewal or for an identification card that initial
3 voter registration or a change of address for voter
4 registration [~~may~~] will be made simultaneously with the motor
5 vehicle application;

6 (2) voter registration shall be conducted in a
7 manner such that the applicant completes the full certificate
8 of registration electronically; and

9 (3) the applicant's digital signature shall be
10 affixed to the certificate of registration using an electronic
11 signature in conformance with the Electronic Authentication of
12 Documents Act and the Uniform Electronic Transactions Act.

13 [~~D-~~] E. A motor vehicle division employee or
14 contractor shall not intentionally influence the prospective
15 registrant in the selection of political party, or independent
16 status, by word or act. A motor vehicle division employee or
17 contractor shall not reveal the existence of or the nature of
18 the voter registration to anyone other than a registration
19 officer.

20 [~~E-~~] F. Any voter registration made or accepted at
21 a motor vehicle division office or motor vehicle division field
22 office shall be transmitted to the secretary of state and the
23 appropriate registration officer within seven calendar days.

24 [~~F-~~] G. The secretary of state shall work with the
25 motor vehicle division to:

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1 (1) ensure compliance in the application of
2 the provisions of this section with the federal National Voter
3 Registration Act of 1993;

4 (2) ensure consistent implementation in the
5 various counties, based on county classification and developing
6 technology; and

7 (3) develop procedures to ensure that, once
8 voter registration information is transmitted to the
9 appropriate registration officer, the voter's certificate of
10 registration is printed and placed in the county's register of
11 voters."

12 SECTION 2. A new section of the Election Code, Section
13 1-4-47.1 NMSA 1978, is enacted to read:

14 "1-4-47.1. [NEW MATERIAL] AUTOMATIC VOTER REGISTRATION
15 FOR QUALIFIED ELECTORS WHO PRE-REGISTERED TO VOTE.--

16 A. Not later than July 1, 2017, the secretary of
17 state shall by rule establish a schedule by which the motor
18 vehicle division of the taxation and revenue department shall
19 provide the secretary with electronic records containing the
20 legal name, birth date, resident address, social security
21 number, citizenship status, party preference, if any, and
22 electronic digital signature of each person who is eighteen
23 years of age or younger and has on file with the division that
24 information.

25 B. The secretary of state shall provide to the

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1 county clerk of the county in which the person is or will be
2 eligible to register to vote the person's information received
3 by the secretary from the division. The county clerk shall
4 determine if the person has already registered to vote or is an
5 unregistered qualified elector who has pre-registered to vote
6 and will be eighteen years of age on or before the next general
7 election, and notify each such pre-registered qualified elector
8 of the procedure by which the person may decline being
9 registered to vote and how the person may change political
10 party affiliation if the person so chooses.

11 C. If a person notified pursuant to Subsection B of
12 this section does not decline to be registered to vote within
13 twenty-one days after the county clerk issues notification, the
14 person's electronic record and digital signature shall
15 constitute a completed certificate of registration. If the
16 county clerk determines that the person is qualified to be
17 registered to vote, the county clerk shall print and file a
18 copy of the person's certificate of registration in the
19 county's register of voters and enter the person's information
20 into the state voter file."