

HOUSE STATE GOVERNMENT, ELECTIONS AND INDIAN AFFAIRS  
COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 290

**55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

AN ACT

RELATING TO ELECTIONS; CREATING THE VOTER EDUCATION AND  
ELECTIONS TASK FORCE; DIRECTING THE VOTER EDUCATION AND  
ELECTIONS TASK FORCE TO STUDY, PROVIDE RECOMMENDATIONS AND  
PROPOSE LEGISLATION TO IMPLEMENT BEST PRACTICES TO EDUCATE  
VOTERS AND ENSURE THE ACCURACY AND INTEGRITY OF ELECTIONS  
PROCESSES IN NEW MEXICO; DECLARING AN EMERGENCY.

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

SECTION 1. TEMPORARY PROVISION--VOTER EDUCATION AND  
ELECTIONS TASK FORCE--CREATED--DUTIES--REPORTING.--

A. The "voter education and elections task force"  
is created to study and provide recommendations on best  
practices to educate the voters of New Mexico on electoral  
procedures, voter registration and election safeguards. The  
voter education and elections task force shall evaluate

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underscored material = new  
[bracketed material] = delete

1 opportunities for improvements to the electoral process to  
2 maximize voter accessibility and accurate voter rolls while  
3 continuing to maintain efficient and secure elections. The  
4 task force shall function from the date of its appointment  
5 until December 31, 2021. Staff and administrative support for  
6 the task force shall be jointly coordinated and provided by the  
7 secretary of state and the legislative council service.

8 B. By April 20, 2021, the members of the voter  
9 education and elections task force shall be appointed as  
10 follows:

11 (1) six members who are legislators, with the  
12 two political parties with the most members in the state being  
13 represented in equal numbers, appointed as follows:

14 (a) three members of the house of  
15 representatives appointed by the speaker of the house of  
16 representatives; and

17 (b) three members of the senate  
18 appointed by the senate committees' committee or, if the  
19 legislature is not in session at the time of appointment,  
20 appointed by the president pro tempore of the senate in  
21 consultation with and agreement of a majority of the members  
22 who served on the senate committees' committee during the first  
23 session of the fifty-fifth legislature;

24 (2) the secretary of state or the secretary's  
25 designee;

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1 (3) the secretary of taxation and revenue, or  
2 a designee of the secretary who has oversight or knowledge of  
3 data collection and system operations within the taxation and  
4 revenue department;

5 (4) four public members, with the two  
6 political parties with the most members in the state being  
7 represented in equal numbers, who have expertise in elections,  
8 campaigns and private sector organizational structure and  
9 operations and who reflect the ethnic, cultural and geographic  
10 diversity of the state, two appointed by the speaker of the  
11 house and two appointed by the president pro tempore of the  
12 senate; and

13 (5) four county clerks, with the two political  
14 parties with the most members in the state being represented in  
15 equal numbers, appointed by the county clerks affiliate of the  
16 New Mexico association of counties.

17 C. One representative each from the state  
18 registrar, the state assessor and the administrative office of  
19 the courts shall serve as advisory members of the task force,  
20 and the voter education and elections task force shall invite  
21 the United States postal service in New Mexico to appoint a  
22 representative to participate as an advisory member of the task  
23 force.

24 D. Public members of the voter education and  
25 elections task force are entitled to receive per diem and

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1 mileage pursuant to the Per Diem and Mileage Act but shall  
2 receive no other compensation, perquisite or allowance.

3 E. The voter education and elections task force  
4 shall be co-chaired by the secretary of state, or the  
5 secretary's designee, and one of the legislator-appointed  
6 members from the minority political party, elected by the  
7 membership of the task force to serve as co-chair. The task  
8 force shall meet at the call of a co-chair or at the request of  
9 one-third of its membership, and as necessary to carry out its  
10 duties, but no less than once and no more than twice a month.  
11 The first meeting of the task force shall be held no later than  
12 May 1, 2021, and the first meeting of the task force shall be  
13 an organizational meeting for the task force to develop a work  
14 plan to carry out the task force's duties.

15 F. A vacancy on the voter education and elections  
16 task force shall be filled by the original appointing  
17 authority. A member who misses three meetings shall be removed  
18 from the task force and upon the request of the co-chairs, the  
19 appointing authority shall replace the member who has failed to  
20 attend three meetings.

21 G. A majority of the members constitutes a quorum  
22 for the transaction of business. The support of a majority of  
23 the members is required for adoption of any action; provided  
24 that the final report of the voter education and elections task  
25 force, including its recommendations and proposed legislation,

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1 shall have, at minimum, the support of a majority of the  
2 legislative members.

3 H. The voter education and elections task force may  
4 create subcommittees by a majority vote of the members. A  
5 subcommittee shall be composed of at least one member from the  
6 senate and one member from the house of representatives,  
7 including at least one member of a minority political party  
8 that is represented in either the senate or house of  
9 representatives.

10 I. Meetings of the voter education and elections  
11 task force shall be subject to the Open Meetings Act, and the  
12 task force shall actively solicit public input.

13 J. The voter education and elections task force  
14 shall develop policy recommendations and proposed legislation  
15 to educate voters on electoral procedures, voter registration  
16 and election safeguards. The task force shall also consider  
17 improvements to the Election Code to make electoral processes  
18 more efficient and accessible to all voters while continuing to  
19 maintain election integrity. In developing its policy  
20 recommendations and proposed legislation, the task force shall  
21 review and consider:

22 (1) how to educate voters on why a voter's  
23 certificate of registration must be kept up to date and,  
24 overall, how to effectively disseminate information and engage  
25 the public in the electoral process;

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1 (2) federal and state law, constitutional  
2 provisions, rules and court decisions governing elections,  
3 voter registration and the maintenance of voter rolls;

4 (3) the accessibility and ease of use of  
5 currently used election systems, including the online voter  
6 registration system, the vote tabulation systems, election  
7 websites and other systems used by voters;

8 (4) use of voting best practices and  
9 implementation of additional voting modernizations used in  
10 other states, including automatic voter registration, same-day  
11 registration, geo-enabling the voter rolls, absentee voting,  
12 residency requirements and risk-limiting audits that may  
13 promote improved voting accessibility and election security;

14 (5) best practices and standards for  
15 maintaining accurate voter rolls, including how best to use the  
16 data provided by the electronic registration information center  
17 and other emerging technologies to continue to recruit eligible  
18 but unregistered voters, ensure the ease by which voters cancel  
19 registrations in one state and register in another and ensure  
20 the integrity of the voter rolls;

21 (6) best practices and standards for the  
22 prompt removal of deceased persons from the voter rolls;

23 (7) the impacts of issues relating to the  
24 United States postal service on ballot tracking, ballot  
25 delivery and addressing, inconsistent or non-delivery to valid

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1 addresses and how best to use intelligent mail bar codes, the  
2 national change of address database and standard addressing to  
3 improve election procedures; and

4 (8) how to improve data collection and sharing  
5 between the taxation and revenue department and the secretary  
6 of state and county clerks for the purposes of improving  
7 election efficiencies and updating certificates of  
8 registration.

9 K. No later than December 1, 2021, the voter  
10 education and elections task force shall draft a report of its  
11 findings and recommendations for consideration by the governor  
12 and the legislature and shall present its report to the New  
13 Mexico legislative council, the legislative finance committee,  
14 the interim committee that studies courts, corrections and  
15 justice issues and the county clerks affiliate of the New  
16 Mexico association of counties. The task force shall provide a  
17 final report, including any proposed legislation, to the  
18 governor and all legislators by December 31, 2021.

19 L. The secretary of state, county clerks and other  
20 relevant state agencies shall cooperate with the voter  
21 education and elections task force and provide the task force  
22 with information regarding databases, information technology  
23 systems, cybersecurity, budget, staffing, organizational  
24 structure and other information as relevant to the duties of  
25 the task force and as requested by the task force.

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