

State of New Mexico
House of Representatives

FIFTY-FIFTH LEGISLATURE
SECOND SESSION

February 16, 2022

HOUSE FLOOR AMENDMENT number _____ to SENATE BILL 144, as amended

Amendment sponsored by Representative Greg Nibert

1. On page 1, line 11, after the semicolon, insert "AMENDING THE PERMITTED AND PROHIBITED ACTIVITIES OF CHALLENGERS, WATCHERS AND COUNTY CANVASS OBSERVERS;".

2. After House Judiciary Committee Amendment 4, insert the following new section:

"SECTION 141. Section 1-2-25 NMSA 1978 (being Laws 1969, Chapter 240, Section 44, as amended) is amended to read:

"1-2-25. CHALLENGERS, WATCHERS, COUNTY CANVASS OBSERVERS--PERMITTED AND PROHIBITED ACTIVITIES.--

A. Challengers, watchers and county canvass observers shall:

(1) not be permitted to perform any duty of an election board member;

(2) not handle the ballots, signature rosters, checklist of voters or voting machines or take any part in the counting or tallying of the ballots or the county canvass;

(3) not be allowed to view a voter's full date of birth or any portion of the voter's social security number; provided that a challenger shall be allowed to see the presence of a signature and the last four digits of a social security number on an official mailing envelope containing a voted ballot for the purpose of interposing a challenge;

(4) not interfere with the orderly conduct of the

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election, the counting or tallying of the ballots or the county canvass;

(5) not be allowed to photograph ballots or protected information of any voter and shall not be allowed to make any audio or video recording in a polling place;

(6) be allowed to be within sufficient sight and sound of an election board for a reasonable person to see and hear the election board in the conduct of the board's duties;

(7) be permitted to speak with the presiding judge or an election judge designated by the presiding judge to ask a question or to advise of a potential breach of the Election Code; provided that doing so does not interfere with the orderly conduct of the election; and in the case of a challenger, to interpose a challenge;

~~[(5)]~~ (8) be allowed in the room in which the voting is being conducted at a polling location; provided that at any given time, each political party, candidate or election-related organization may have no more than one person present; and

~~[(6)]~~ (9) be allowed in the room in which the absent voter election board, the recount election board or the election board for a special election conducts its business or, in the case of county canvass observers, in which the county canvass is conducted; provided that each political party, candidate or election-related organization shall have no more than:

(a) two persons present at any given time in counties with more than ten thousand registered voters;

(b) four persons present at any given time in counties with more than fifty thousand registered voters; or

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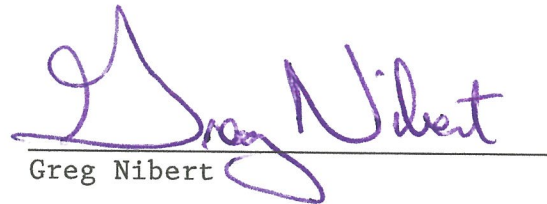
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(c) fifteen persons present at any given time in counties with more than one hundred fifty thousand registered voters.

B. Subject to permission granted by the county clerk, additional challengers may be present in the room in which the absent voter election board, the recount election board or the election board for a special election conducts its business in a partisan election; provided that the number of additional challengers allowed pursuant to this subsection is identical for each political party participating in the election."".


Greg Nibert

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____