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HOUSE BILL 19

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Gail Chasey and Janelle Anyanonu and Katy M. Duhigg

AN ACT

RELATING TO ELECTION OFFENSES; CREATING THE ELECTION OFFENSES
OF DISRUPTING ELECTION RESULTS AND FALSELY ACTING AS A
PRESIDENTIAL ELECTOR; PRESCRIBING PENALTIES; DECLARING AN
EMERGENCY.

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

SECTION 1. A new section of Chapter 1, Article 20 NMSA
1978 is enacted to read:

"[NEW MATERIAL] DISRUPTING ELECTION RESULTS.--

A. Disrupting election results consists of
knowingly or recklessly:

(1) suppressing or materially defacing,
altering, forging or making false entries in a county canvass
report, certificate of canvass, certificate of election, report
of the state canvass or certificate of ascertainment of

.227552.1

underscoring material = new
~~[bracketed material] = delete~~

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1 appointment of electors; or

2 (2) preparing or submitting a false canvass
3 report, certificate of canvass, certificate of election, report
4 of the state canvass or certificate of ascertainment of
5 appointment of electors.

6 B. Whoever commits disrupting election results is
7 guilty of a third degree felony.

8 C. The attorney general or a district attorney may
9 bring an action in the name of the state to enforce this
10 section."

11 SECTION 2. A new section of Chapter 1, Article 20 NMSA
12 1978 is enacted to read:

13 "[NEW MATERIAL] FALSELY ACTING AS A PRESIDENTIAL
14 ELECTOR.--

15 A. Falsely acting as a presidential elector
16 consists of a person knowingly or recklessly making a false
17 representation to an election official or in an election
18 document that the person is an elected presidential elector for
19 the state.

20 B. It shall not be a defense for a violation of
21 this section that the person's representation is made with a
22 qualification that the person's status as an elected
23 presidential elector is conditional upon the occurrence of a
24 future event.

25 C. Whoever commits falsely acting as a presidential

.227552.1

underscoring material = new
~~[bracketed material] = delete~~

1 elector is guilty of a third degree felony.

2 D. The attorney general or a district attorney may
3 bring an action in the name of the state to enforce this
4 section."

5 SECTION 3. EMERGENCY.--It is necessary for the public
6 peace, health and safety that this act take effect immediately.

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