SENATE BILL 483

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Jay C. Block

AN ACT

RELATING TO ELECTIONS; DECLARING THE FIRST TUESDAY IN NOVEMBER
AS "ELECTION DAY"; MAKING ELECTION DAY A PAID HOLIDAY FOR STATE
AND OTHER PUBLIC EMPLOYEES; PROVIDING EXEMPTIONS.

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

SECTION 1. Section 1-12-42 NMSA 1978 (being Laws 1969,
Chapter 240, Section 302, as amended) is amended to read:

"1-12-42. CONDUCT OF ELECTION--EMPLOYEES--[TIME] DAY TO
VOTE.--

A. On election day a voter may be absent [himself]
from employment [in which he is engaged for two hours for the
purpose of voting] between the time of opening and the time of
closing the polls. The voter shall not be liable to any
penalty for such absence, [however, the employer may specify
the hours during this period in which the voter may be absent]

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1   and the state and other public employers shall provide the full

2   day's compensation to the voter.

3   B.   The provisions of Subsection A of this section

4   do not apply to [an employee whose work day begins more than

5   two hours subsequent to the time of opening the polls, or ends

6   more than three hours prior to the time of closing the polls]

7   employees necessary to supervise and administer elections on

8   election day, including employees of the secretary of state,

9   local governments, Indian nations, tribes or pueblos or law

10   enforcement.

11   C.   The provisions of Subsection A of this section

12   apply to elections of Indian nations, tribes or pueblos for a

13   voter who is enrolled as a member of the Indian nation, tribe

14   or pueblo and is qualified to vote in the election.

15   D.   A person who refuses the right granted in this

16   section to an employee is guilty of a misdemeanor and shall be

17   punished by a fine of not less than fifty dollars ($50.00) nor

18   more than one hundred dollars ($100)."

19   SECTION 2.   Section 12-5-2 NMSA 1978 (being Laws 1969,

20   Chapter 114, Section 1, as amended) is amended to read:

21   "12-5-2.   LEGAL HOLIDAYS--DESIGNATION.--Legal public

22   holidays in New Mexico are:

23   A.   New Year's day, January 1;

24   B.   Martin Luther King, Jr.'s birthday, third Monday

25   in January;

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C. Washington's and Lincoln's birthday, President's day, third Monday in February;

D. Memorial day, last Monday in May;

E. Independence day, July 4;

F. Labor day, first Monday in September;

G. Indigenous Peoples' day, second Monday in October;

H. Election day, first Tuesday in November;

[H.] I. Armistice day and Veterans' day, November 11;

[I.] J. Thanksgiving day, fourth Thursday in November; and

[J.] K. Christmas day, December 25."

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