

1 SENATE BILL 515
2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY
4 Pat Woods
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10 AN ACT

11 RELATING TO CONSERVANCY DISTRICT ELECTIONS; REMOVING THE ARCH
12 HURLEY CONSERVANCY DISTRICT FROM THE LOCAL ELECTION ACT;
13 PROVIDING TIMING AND OTHER PROCEDURES FOR THE ARCH HURLEY
14 CONSERVANCY DISTRICT'S ELECTIONS; RESTORING ELECTION PROVISIONS
15 FOR THE DISTRICT THAT WERE REPEALED BY THE LOCAL ELECTION ACT;
16 AMENDING AND ENACTING SECTIONS OF THE NMSA 1978.

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

19 SECTION 1. Section 1-22-2 NMSA 1978 (being Laws 2019,
20 Chapter 212, Section 141) is amended to read:

21 "1-22-2. DEFINITIONS.--As used in the Local Election Act:

22 A. "local election" means a local government
23 election;

24 B. "local governing body" means a board, council or
25 commission, as appropriate for a given local government;

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1 C. "local government" means a:

2 (1) political subdivision of the state with
3 authority to levy taxes pursuant to Article 8, Section 9 of the
4 constitution of New Mexico and its enabling legislation, but
5 does not include a county or a conservancy district subject to
6 the provisions of Sections 73-18-25 through 73-18-43 NMSA 1978;
7 and

8 (2) political subdivision of the state without
9 authority to levy taxes pursuant to Article 8, Section 9 of the
10 constitution of New Mexico or its enabling legislation, but
11 whose statutory provisions provide for election of officers or
12 ballot questions to be decided pursuant to the Local Election
13 Act;

14 D. "municipal officers" means the local governing
15 body and any elective executive and judicial officers of a
16 municipality;

17 E. "regular local election" means the biennial
18 local election at which local governing body members are
19 elected pursuant to the provisions of the Local Election Act;
20 and

21 F. "special local election" means a local election
22 conducted at a time other than a statewide election at which
23 only ballot questions are considered pursuant to the provisions
24 of the Special Election Act."

25 SECTION 2. Section 73-18-27 NMSA 1978 (being Laws 1955,
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1 Chapter 281, Section 3, as amended) is amended to read:

2 "73-18-27. ELECTIONS.--In each odd-numbered year after
3 1955, elections shall be called and conducted pursuant to the
4 ~~[Local Election Act]~~ provisions of Sections 73-18-25 through
5 73-18-43 NMSA 1978 for the election of directors to succeed any
6 directors whose terms expire in that year. Elections shall be
7 held on the second Tuesday of October of each odd-numbered
8 year. The election shall be called by the board of directors
9 by resolution that shall fix for each election precinct within
10 the district outside the municipality and designate the
11 necessary qualified electors of each election precinct to act
12 as judges of the election in each precinct. At the discretion
13 of the board of directors of the conservancy district, the
14 election may be held at any place within the district. Judges
15 of the election shall be paid an amount to be determined by the
16 board of directors for service. Expenses of the elections
17 shall be paid by the district."

18 SECTION 3. Section 73-18-28 NMSA 1978 (being Laws 1955,
19 Chapter 281, Section 4, as amended) is amended to read:

20 "73-18-28. DIRECTOR-AT-LARGE AND MUNICIPAL DIRECTOR
21 ~~[QUALIFIED ELECTOR LIST]~~.--

22 A. The director to represent the municipality and
23 the director-at-large for the period from October 1955 to
24 October 1957 shall be selected at the September 1955 meeting by
25 the board of directors of the conservancy district as it exists

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1 prior to the election. The members shall be elected from the
2 membership of the previously existing board if there are
3 qualified members of the board willing to serve for the
4 additional two years. If there are no members of the existing
5 board willing to serve for the additional period of two years
6 or if there is only one, the existing board may select one or
7 both of the directors from qualified electors of the district
8 for the position or positions.

9 B. In the election to be held in October 1957, a
10 director to represent the municipal voting precinct shall be
11 elected from the qualified electors of the municipality, and a
12 director-at-large shall be elected from the qualified electors
13 of the district.

14 C. Every resident, otherwise qualified, owning real
15 estate of any character within the district shall have one vote
16 for director-at-large. Each elector resident of the municipal
17 voting precinct shall have one vote for municipal director.
18 The right of a voter to vote for municipal director shall not
19 be affected by the elector voting in any other election
20 precinct in which the elector may own class "A" land.

21 ~~[D. The conservancy district shall compile and~~
22 ~~deliver a qualified elector list to the appropriate county~~
23 ~~clerk no later than one hundred eighty days before an election,~~
24 ~~and update the list every thirty days until ninety days before~~
25 ~~the election, which list the county clerk shall use for that~~

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1 ~~election.]"~~

2 SECTION 4. Section 73-18-34 NMSA 1978 (being Laws 1955,
3 Chapter 281, Section 10, as amended) is amended to read:

4 "73-18-34. BECOMING A CANDIDATE FOR DIRECTOR.--Any person
5 wishing to become a candidate for the office of director in any
6 district shall by the last Friday of July before the election
7 file in the office of the secretary of the district a
8 declaration of candidacy [~~pursuant to the provisions of the~~
9 ~~Local Election Act~~] stating the election precinct for which the
10 person is a candidate, accompanied by a petition signed by not
11 less than ten qualified electors of the election precinct for
12 which the person is a candidate to represent. No declaration
13 of candidacy shall be accepted by the secretary unless
14 accompanied by such petition, signed by electors."

15 SECTION 5. Section 73-18-41 NMSA 1978 (being Laws 1955,
16 Chapter 281, Section 17, as amended) is amended to read:

17 "73-18-41. APPLICATION OF [~~LOCAL ELECTION ACT~~] GENERAL
18 ELECTION LAWS.--In any election held under Sections 73-18-25
19 through 73-18-43 NMSA 1978, the [~~Local Election Act~~] general
20 election laws shall be applicable except as otherwise provided
21 in Sections 73-18-25 through 73-18-43 NMSA 1978 and except as
22 to the requirement for registration and residence in state,
23 county or precinct as a qualification of an elector in offering
24 to vote."

25 SECTION 6. A new Section 73-18-41.1 NMSA 1978 is enacted

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1 to read:

2 "73-18-41.1. [NEW MATERIAL] NOTICE OF ELECTION.--The
3 board of directors of a conservancy district shall issue a
4 notice of election. Three copies of the notice shall be posted
5 in conspicuous places in each such election precinct for which
6 an election is to be held and shall be published in a newspaper
7 qualified to make legal publications in suits in the district
8 court. Such publications shall be made once and made not less
9 than five or more than fifteen days before the election. Such
10 notice as so published shall give the time of the election, the
11 places at which the election shall be held in the different
12 precincts, the names of the judges who have been designated to
13 hold the elections in each precinct and the names of all
14 candidates who have filed declarations of candidacy and shall
15 show the election precinct that each candidate desires to
16 represent."

17 SECTION 7. A new Section 73-18-41.2 NMSA 1978 is enacted
18 to read:

19 "73-18-41.2. [NEW MATERIAL] FORMS AND RULES.--The board
20 of directors of the district shall by resolution adopt all
21 forms necessary to the operation of Sections 73-18-25 through
22 73-18-43 NMSA 1978 and shall make such reasonable rules to
23 govern the administration of its elections as the board may
24 deem proper. The forms and rules shall be adopted not less
25 than thirty days prior to an election and shall not be changed

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1 within thirty days preceding an election. The forms and rules
2 may be open to inspection by the public at the office of the
3 district. Copies of all rules and forms adopted and authorized
4 by the board of directors of the district shall be certified by
5 the secretary of the district, authenticated by the seal of the
6 district and filed in the office of the county clerk of the
7 county, immediately after such rules or forms are adopted."

8 SECTION 8. A new Section 73-18-41.3 NMSA 1978 is enacted
9 to read:

10 "73-18-41.3. [NEW MATERIAL] SECRETARY AND DISTRICT BOARD
11 TO PUT INTO EFFECT CANVASS OF ELECTION RETURNS.--It shall be
12 the duty of the board of directors of the district to take all
13 actions necessary to implement the provisions of Sections
14 73-18-25 through 73-18-43 NMSA 1978. The board of directors
15 shall canvass the certified returns of election judges
16 immediately following the day of an election for directors,
17 declare the results thereof and issue certificates of election
18 to each director who has received the highest number of votes
19 cast for the office for which director was a candidate."

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