

1 HOUSE BILL 351

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Randall Pettigrew

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10 AN ACT

11 RELATING TO ELECTIONS; PROHIBITING THE SECRETARY OF STATE FROM  
12 CERTIFYING CERTAIN VOTING MACHINES.

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

15 SECTION 1. Section 1-9-1 NMSA 1978 (being Laws 1969,  
16 Chapter 240, Section 184, as amended) is amended to read:

17 "1-9-1. SECRETARY OF STATE--DUTIES--VOTING SYSTEM  
18 DEFINED.--

19 A. The secretary of state shall study, examine and  
20 certify all voting systems used in elections for public office  
21 in New Mexico. The secretary of state shall maintain a current  
22 list of certified voting systems and copies of filed testing  
23 and evaluation reports accessible by the public on the  
24 secretary of state's [~~web site~~] website.

25 B. Only voting systems certified by the secretary

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1 of state and acquired pursuant to a competitive bid process in  
2 accordance with the provisions of the Procurement Code shall be  
3 used in any election for public office in New Mexico. The  
4 secretary of state shall not certify a voting system acquired  
5 from a company that is or in the past was based outside the  
6 United States.

7 [B.] C. As used in Chapter 1, Article 9 NMSA 1978,  
8 "voting system" means a combination of mechanical,  
9 electromechanical or electronic equipment, including the  
10 software and firmware required to program and control the  
11 equipment, that is used to cast and count votes, and also  
12 including any type of system that is designed to print or to  
13 mark ballots at a polling location; equipment that is not an  
14 integral part of a voting system but that can be used as an  
15 adjunct to it is considered to be a component of the system."