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SENATE BILL 854

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Dianna J. Duran

AN ACT

RELATING TO SCHOOL DISTRICT ELECTIONS; PROVIDING A COUNTY CLERK WITH ALTERNATIVES FOR THE ISSUANCE OF PROCLAMATIONS AND THE CONVENING OF PRECINCT BOARDS.

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

Section 1. Section 1-22-4 NMSA 1978 (being Laws 1985, Chapter 168, Section 6, as amended) is amended to read:

"1-22-4. REGULAR ELECTION--PROCLAMATION--PUBLICATION.--

A. The board shall by resolution issue a public proclamation in Spanish and English calling a regular school district election within the school district on the date prescribed by the School Election Law. The proclamation shall be filed by the superintendent with the county clerk of record on the last [~~Friday~~] Wednesday in November of the even-numbered year immediately preceding the date of the election.

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B. The proclamation shall specify:

- (1) the date when the election will be held;
  - (2) the positions on the board to be filled;
  - (3) the date on which declarations of candidacy are to be filed;
  - (4) the date on which declarations of intent to be a write-in candidate are to be filed;
  - (5) the questions to be submitted to the voters;
  - (6) the precincts in each county in which the election is to be held and the location of each polling place;
  - (7) the hours each polling place will be open;
- and
- (8) the date and time of the closing of the registration books by the county clerk of record as required by law.

C. After filing the proclamation with the county clerk of record and not less than fifty days before the date of the election, the county clerk of record shall publish the proclamation at least once in a newspaper of general circulation within the school district. The publication of the proclamation shall conform to the requirements of the federal Voting Rights Act of 1965, as amended. "

Section 2. Section 1-22-12 NMSA 1978 (being Laws 1985, Chapter 168, Section 14, as amended) is amended to read:

. 145240. 1

1 "1-22-12. CONDUCT OF ELECTIONS. --

2 A. Except as otherwise provided in the School  
3 Election Law, the county clerk shall administer and conduct  
4 school district elections pursuant to the provisions of the  
5 Election Code for the conduct of general elections.

6 B. Precinct board members for each polling place  
7 shall be appointed by the county clerk from among those persons  
8 who meet the qualifications set forth in Section 1-2-7 NMSA  
9 1978 and who reside within the school district. The number of  
10 members on each precinct board shall be as provided in Section  
11 1-2-12 NMSA 1978. Vacancies on election day shall be filled as  
12 provided in Section 1-2-15 NMSA 1978.

13 C. In the event that only one candidate has filed a  
14 declaration of candidacy for each position to be filled at the  
15 election, no declared write-ins have filed for any position and  
16 there are no questions or bond issues on the ballot, the county  
17 clerk [~~shall~~] may perform the duties of the precinct board and  
18 no other precinct board shall be appointed if the county clerk  
19 performs those duties.

20 D. All costs of school district elections shall be  
21 paid by the school district."