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AN ACT

RELATING TO ELECTIONS; REQUIRING INDEPENDENT CANDIDATES TO BE UNAFFILIATED WITH A POLITICAL PARTY AND TO RESIDE IN THE DISTRICT FOR WHICH THEY ARE A CANDIDATE ON THE DAY OF THE GOVERNOR'S PROCLAMATION.

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

Section 1. A new section of the Election Code is enacted to read:

"INDEPENDENT CANDIDATES FOR GENERAL ELECTIONS--WHO MAY BECOME A CANDIDATE FOR NOMINATION.--

A. No person shall become a candidate for nomination as an independent candidate for any office, and the person's name shall not be printed on the general election ballot, unless the person's record of voter registration shows:

(1) no affiliation with a political party on the date of the governor's proclamation for the primary election; and

(2) residence in the district of the office for which the person is a candidate on the date of the governor's proclamation for the primary election.

B. A voter may challenge the candidacy of any person seeking nomination as an independent candidate for any office for the reason that the person does not meet the

1 requirements of Subsection A of this section by filing a  
2 petition in the district court within ten days after the last  
3 day for filing a declaration of candidacy. The district  
4 court shall hear and render a decision on the matter within  
5 ten days after the filing of the petition. The decision of  
6 the district court may be appealed to the supreme court  
7 within five days after the decision is rendered. The supreme  
8 court shall hear and render a decision on the appeal  
9 forthwith."

10 Section 2. EFFECTIVE DATE.--The effective date of the  
11 provisions of this act is July 1, 2007. \_\_\_\_\_

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