## HOUSE BILL 221

## 48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Rhonda S. King

,

AN ACT

RELATING TO ELECTIONS; PROVIDING THAT A CONTRACT BETWEEN THE STATE BOARD OF FINANCE AND A COUNTY FOR THE LEASE-PURCHASE OF ELECTRONIC VOTING SYSTEMS MAY BE RENEGOTIATED TO INCLUDE CERTAIN CONTRACT TERMINATION PROVISIONS.

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

Section 1. Section 1-9-17 NMSA 1978 (being Laws 1985, Chapter 207, Section 16, as amended) is amended to read:

"1-9-17. ELECTRONIC VOTING SYSTEMS--STATE BOARD OF FINANCE--LEASE-PURCHASE CONTRACT--TERMS.--

A. The state board of finance shall execute a lease-purchase contract with the county for purchase of electronic voting systems and the necessary support equipment upon receipt of the application of the board of county commissioners.

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- В. The lease-purchase contract shall include, but not be limited to, the following terms:
- (1) the county agrees to purchase from the state board of finance the specified number of electronic voting systems and the necessary support equipment;
- the county will pay for the cost of [such] (2) the systems and support equipment, including reimbursement for costs of transportation;
- the term of the lease-purchase contract (3) shall not exceed twenty years;
- (4) the care, custody and maintenance of the systems and support equipment is the responsibility of the county clerk; and
- (5) upon good cause shown, the terms of the lease-purchase contract may, at any time, be renegotiated.
- C. The lease-purchase contract, after a renegotiation pursuant to Paragraph (5) of Subsection B of this section, may include provisions providing that, upon the transfer of the ownership in the electronic voting systems to the state board of finance, the contract shall be terminated and no additional payments from the county shall be due. The state board of finance may dispose of electronic voting systems acquired pursuant to this subsection in any manner that is consistent with the interests of the state."