

HOUSE FLOOR SUBSTITUTE FOR
HOUSE BILL 419

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO ELECTIONS; PROVIDING FOR PROVISIONS TO ALLOW A
VOTER TO REQUEST THAT AN ABSENTEE BALLOT APPLICATION BE SENT TO
THE VOTER AUTOMATICALLY FOR ALL ELECTIONS HELD PURSUANT TO THE
ELECTION CODE.

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:

"[NEW MATERIAL] ABSENTEE BALLOT APPLICATION--PERMANENT
ABSENTEE BALLOT APPLICATION LIST.--

A. A voter may request to be included on a
permanent list of voters to receive an absentee ballot
application for all elections held pursuant to the Election
Code. The county clerk of each county shall maintain a
permanent absentee ballot application list.

.178246.2

underscored material = new
[bracketed material] = delete

1 B. In order to be included on the permanent
2 absentee ballot application list, the voter shall make a
3 written request specifically requesting that the voter's name
4 be added to the permanent absentee ballot application list for
5 all elections conducted pursuant to the Election Code in which
6 the applicant is eligible to vote.

7 C. At least forty-five days before an election, the
8 county clerk shall send each voter on the permanent absentee
9 ballot application list an absentee ballot application.

10 D. After a voter has requested to be included on
11 the permanent absentee ballot application list, the voter shall
12 be sent an absentee ballot application by mail automatically
13 for any election at which that voter at that residence address
14 is eligible to vote until any of the following occurs:

15 (1) the voter requests in writing to be
16 removed from the permanent absentee ballot application list;

17 (2) the voter's registration or eligibility
18 for registration is moved to inactive status or canceled as
19 otherwise provided by law; or

20 (3) the absentee ballot application sent by
21 the county clerk is returned undeliverable.

22 E. A voter's failure to vote an absentee ballot
23 once received does not constitute grounds to remove the voter
24 from the permanent absentee ballot application list."