

1 HOUSE BILL 225

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 James E. Smith and Timothy M. Keller

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10 AN ACT

11 RELATING TO ELECTIONS; PROVIDING FOR ELECTRONIC ONLINE UPDATES
12 OF A VOTER'S CERTIFICATE OF REGISTRATION; PROVIDING FOR
13 ELECTRONIC SUBMITTAL OF A VOTER'S CERTIFICATE OF REGISTRATION
14 FORM BY THE MOTOR VEHICLE DIVISION OF THE TAXATION AND REVENUE
15 DEPARTMENT.

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

18 SECTION 1. A new section of Chapter 1, Article 4 NMSA
19 1978 is enacted to read:

20 "[NEW MATERIAL] ONLINE VOTER REGISTRATION UPDATES.--

21 A. In addition to updating a certificate of
22 registration in person or by mail, a voter may in accordance
23 with the provisions of Sections 1-4-15 through 1-4-18 NMSA 1978
24 update an existing certificate of registration electronically
25 by completing a certificate of registration form on the

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1 secretary of state's web site. Upon receipt of an updated
2 certificate of registration, the secretary of state shall
3 transmit the certificate to the county clerk of the county in
4 which the registrant resides, and the county clerk shall print
5 the updated certificate and file it in the county's register of
6 voters.

7 B. A certificate of registration updated
8 electronically shall be electronically authenticated by the
9 registrant using an electronic signature in conformance with
10 the Electronic Authentication of Documents Act and the Uniform
11 Electronic Transactions Act. A certificate of registration
12 that is electronically authenticated in accordance with the
13 provisions of this subsection shall be deemed to have been
14 subscribed and sworn to by the registrant.

15 C. The secretary of state shall ensure that the web
16 site used for electronic registration is secure and that the
17 confidentiality of all users and integrity of data submitted
18 are preserved. The secretary of state shall implement the
19 provisions of this section no later than March 1, 2014."

20 SECTION 2. Section 1-4-47 NMSA 1978 (being Laws 1991,
21 Chapter 80, Section 4, as amended) is amended to read:

22 "1-4-47. DRIVER'S LICENSE VOTER REGISTRATION.--

23 A. Every person who is a qualified elector and is
24 applying for a driver's license, to renew a driver's license or
25 for an identification card shall, if ~~otherwise~~ qualified to

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1 register to vote, with the consent of the applicant be
2 simultaneously registered to vote.

3 B. The secretary of taxation and revenue shall
4 select certain employees of the motor vehicle division of the
5 taxation and revenue department or employees of entities on
6 contract to provide field services to the motor vehicle
7 division [~~of the taxation and revenue department~~] to provide
8 assistance to any applicant requesting voter registration
9 assistance.

10 C. Every motor vehicle division office, field
11 office or contract field office of the division shall display
12 within the offices clearly visible signs stating "voter
13 registration assistance available" and:

14 (1) personnel in each office shall advise
15 [~~any~~] each person who is a qualified elector and an applicant
16 for licensure or renewal or for an identification card that
17 initial voter registration or a change of address for voter
18 registration may be made simultaneously with the motor vehicle
19 application;

20 (2) voter registration shall be conducted in a
21 manner such that the applicant is able to fill out the full
22 certificate of registration electronically; and

23 (3) the applicant's digital signature shall be
24 affixed to the certificate of registration.

25 D. [~~No~~] A motor vehicle division employee or

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1 contractor [~~may~~] shall not intentionally influence the
2 prospective registrant in the selection of political party, or
3 independent status, by word or act. [~~No~~] A motor vehicle
4 division employee or contractor [~~may~~] shall not reveal the
5 existence of or the nature of the voter registration to anyone
6 other than a registration officer.

7 E. Any voter registration made or accepted at a
8 motor vehicle division office or motor vehicle division field
9 office shall be transmitted to the appropriate registration
10 officer within [~~ten~~] seven calendar days.

11 F. The secretary of state shall work with the motor
12 vehicle division to:

13 (1) ensure compliance in the application of
14 the provisions of this section with the federal National Voter
15 Registration Act of 1993;

16 (2) ensure consistent implementation in the
17 various counties, based on county classification and developing
18 technology; and

19 (3) develop procedures to ensure that, once
20 voter registration information is transmitted to the
21 appropriate registration officer, the voter's certificate of
22 registration is printed and placed in the county's register of
23 voters."

24 SECTION 3. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is January 1, 2014.

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