SENATE BILL 13

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

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FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO VOTER REGISTRATION; ENACTING A NEW SECTION OF CHAPTER 1, ARTICLE 4 NMSA 1978 TO PROVIDE FOR VOTER REGISTRATION THROUGH THE NEW MEXICO HEALTH INSURANCE EXCHANGE; ENACTING A NEW SECTION OF THE NEW MEXICO HEALTH INSURANCE EXCHANGE ACT TO REQUIRE VOTER REGISTRATION REPORTING TO THE SECRETARY OF STATE.

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

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

"[NEW MATERIAL] NEW MEXICO HEALTH INSURANCE EXCHANGE--VOTER REGISTRATION.--

A. A person who applies to enroll in or renew enrollment in a qualified health plan shall be simultaneously registered to vote:

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(1) if the applicant or enrollee consents to registration; and

(2) if the applicant or enrollee who prospectively registers to vote is in fact qualified to register to vote.

B. The chief executive officer of the exchange shall identify employees or agents of the exchange that shall be charged with administration of voter registration of qualified health plan applicants and enrollees at sites at which the exchange provides in-person assistance to applicants for or enrollees in qualified health plans.

C. Any site at which the exchange provides in-person assistance to applicants for or enrollees of qualified health plans shall post signs visible to applicants and enrollees stating "voter registration assistance available" and:

(1) personnel in each office shall advise each applicant and enrollee that initial voter registration or a change of address for voter registration may be made simultaneously by qualified electors with enrollment in or renewal of a qualified health plan;

(2) voter registration shall be conducted in a manner such that the prospective registrant completes the full certificate of registration electronically; and

(3) the prospective registrant's digital
signature shall be affixed to the certificate of registration
using an electronic signature in conformance with the
Electronic Authentication of Documents Act and the Uniform
Electronic Transactions Act.

D. An agent or employee of the exchange shall not
intentionally influence the prospective registrant in the
selection of political party, or independent status, by word or
act. An agent or employee of the exchange shall not reveal the
existence of or the nature of the voter registration to anyone
other than a registration officer.

E. A voter registration made or accepted at an
exchange in-person assistance site shall be transmitted to the
secretary of state and the appropriate registration officer
within seven calendar days.

F. The secretary of state shall work with the chief
executive officer of the exchange to:

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

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

(3) develop procedures to ensure that, once
voter registration information is transmitted to the
appropriate registration officer, the voter's certificate of

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registration is printed and placed in the county's register of voters.

G. For the purposes of this section:

(1) "exchange" means the New Mexico health insurance exchange established pursuant to the New Mexico Health Insurance Exchange Act; and

(2) "qualified health plan" means health insurance coverage offered through the exchange."

SECTION 2. A new section of the New Mexico Health Insurance Exchange Act is enacted to read:

"[NEW MATERIAL] VOTER REGISTRATION--REPORTING.--The chief executive officer of the exchange shall report annually the following information to the secretary of state pursuant to the chief executive officer's duties as provided in Section 1 of this 2015 act:

A. the number of applicants or enrollees applying to enroll or to renew enrollment in a qualified health plan who have registered to vote in the preceding calendar year; and

B. the number of applicants or enrollees applying to enroll or to renew enrollment in a qualified health plan who have updated their voter registration with a change of address during the preceding calendar year."