

1 SENATE BILL 364

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Michael S. Sanchez

5
6
7
8
9
10 AN ACT

11 RELATING TO ELECTIONS; REQUIRING REGULAR MUNICIPAL ELECTIONS TO
12 BE HELD AT THE SAME TIME AS GENERAL ELECTIONS.

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. Section 3-8-9 NMSA 1978 (being Laws 1985,
16 Chapter 208, Section 17, as amended) is amended to read:

17 "3-8-9. ELECTION SCHEDULING--CONFLICTS--NOTICE.--

18 A. Except as otherwise provided by law, a regular
19 municipal election [~~may~~] shall be held concurrently with [~~but~~]
20 the general election. Any other municipal election shall not
21 be held within forty-two days prior to or within thirty days
22 after, any statewide special, general or primary election or
23 any regular school district election. Whenever a municipal
24 election would be or has been scheduled within the prohibited
25 time, the governing body shall adopt an election resolution

.197370.3

underscored material = new
[bracketed material] = delete

underscoring material = new
~~[bracketed material] = delete~~

1 scheduling or rescheduling the election on a date as soon as is
2 practicable outside the prohibited period and in compliance
3 with the requirements of the Municipal Election Code and any
4 other statute specifically related to such election. If an
5 election resolution has already been adopted, the new election
6 resolution shall supersede the existing election resolution and
7 the new election resolution shall be published as required by
8 the Municipal Election Code.

9 B. Except as otherwise provided by law, one or more
10 municipal special elections, including but not limited to bond
11 elections, may be held in conjunction with a regular municipal
12 election or one or more special municipal elections.

13 C. When concurrent elections are called for,
14 publications, notices, selection of precinct boards, election
15 schools, ordering election supplies, conduct of the election,
16 canvassing, record keeping and all other election matters shall
17 be conducted to comply with all election requirements for each
18 such election as if it were held separately. However, any
19 requirement may be satisfied by a combined action if such
20 action would satisfy the requirements set by law for each
21 individual election. Allowable combined actions include but
22 are not limited to, combined:

- 23 (1) publications;
24 (2) notices;
25 (3) appointment of precinct boards;

.197370.3

underscored material = new
[bracketed material] = delete

- 1 (4) ordering of election supplies;
- 2 (5) conduct of election;
- 3 (6) canvassing; and
- 4 (7) recordkeeping."

5 SECTION 2. Section 3-8-25 NMSA 1978 (being Laws 1965,
6 Chapter 300, Section 14-8-3) is amended to read:

7 "3-8-25. REGULAR MUNICIPAL ELECTIONS--TIME OF HOLDING
8 ELECTION.--Regular municipal elections for the purpose of
9 electing municipal officers and considering any other question
10 placed on the ballot by the governing body shall be held on the
11 first Tuesday [~~in March~~] after the first Monday in November of
12 each even-numbered year [~~provided that~~]. Any municipality
13 [~~which~~] that has adopted a charter shall elect its municipal
14 officers at the time provided for in [~~the charter~~] this
15 section."

16 SECTION 3. TEMPORARY PROVISION.--The term of a municipal
17 officer who is serving in office as of, and who was elected to
18 office prior to, the effective date of this act shall be
19 extended until the next general election following the
20 expiration of the term for which the officer was elected, and
21 the officer shall serve until the officer's successor has been
22 elected and qualified following that election.

23 SECTION 4. EFFECTIVE DATE.--The effective of the
24 provisions of this act is July 1, 2015.