

FIFTY-THIRD LEGISLATURE
FIRST SESSION, 2017

HB 28/a

March 15, 2017

Mr. President:

Your **RULES COMMITTEE**, to whom has been referred

HOUSE BILL 28, as amended

has had it under consideration and reports same **WITHOUT RECOMMENDATION**, amended as follows:

1. Strike House Local Government, Elections, Land Grants and Cultural Affairs Committee Amendment 2.

2. On pages 1 and 2, strike Section 1 in its entirety and insert in lieu thereof:

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

"1-4-47. [~~DRIVER'S~~] MOTOR VEHICLE DIVISION LICENSE VOTER REGISTRATION.--

A. Every person who is a qualified elector and is applying for a [~~driver's~~] license issued by the motor vehicle division of the taxation and revenue department, to renew [~~a driver's~~] such a license or for an identification card shall, if qualified to register to vote, [with the consent of the applicant] be electronically prompted to consent to be simultaneously registered to vote or to update the person's voter registration information.

B. The secretary of taxation and revenue shall select certain employees of the motor vehicle division of the taxation and revenue department or employees of entities on contract to provide field services to the motor vehicle division to provide assistance to any applicant requesting voter registration assistance.

C. Every motor vehicle division office, field office or contract field office of the division shall display within the offices clearly visible signs stating "voter registration assistance

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available" and:

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

(2) voter registration shall be conducted in a manner such that the applicant completes the full certificate of registration electronically, including providing a mailing address if a postal-verified residential address is not available; and

(3) the applicant's [~~digital~~] signature image 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. A motor vehicle division employee or contractor shall not intentionally influence the prospective registrant in the selection of political party, or independent status, by word or act. A motor vehicle division employee or contractor shall not reveal the existence of or the nature of the voter registration to anyone other than a registration officer.

E. Any voter registration made or accepted at a motor vehicle division office or motor vehicle division field office shall be transmitted electronically to the secretary of state and the appropriate registration officer within [~~seven calendar days~~] twenty-four hours.

F. A new voter registration completed pursuant to this section shall be canceled by the county clerk if the secretary of state is notified by the motor vehicle division that the United States postal service has returned the voter's permanent license or identification card as undeliverable.

G. The motor vehicle division shall provide the secretary of state with access to a full audit log of persons applying for a

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license or for an identification card, the date of the transaction and the person's response when prompted to consent to be registered to vote or update the person's voter registration.

[F.] H. The secretary of state shall work with the motor vehicle division 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 registration is printed and placed in the county's register of voters."

SECTION 2. Section 1-7-2 NMSA 1978 (being Laws 1969, Chapter 240, Section 145, as amended) is amended to read:

"1-7-2. QUALIFICATION--REMOVAL--REQUALIFICATION.--

A. To qualify as a political party in New Mexico, each political party through its governing body shall adopt rules providing for the organization and government of that party and shall file the rules with the secretary of state. Uniform rules shall be adopted throughout the state by the county organizations of that party, where a county organization exists, and shall be filed with the county clerks. At the same time the rules are filed with the secretary of state, the governing body of the political party shall also file with the secretary of state a petition containing the hand-printed names, signatures, addresses of registration and counties of residence of at least one-half of one percent of the total votes cast for the office of governor at the preceding general election who declare by their signatures on the petition that they are voters of New Mexico and that they desire the party to be a

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qualified political party in New Mexico. Blank petition forms shall be available at any time from the secretary of state.

B. Each county political party organization may adopt supplementary rules insofar as they do not conflict with the uniform state rules or do not abridge the lawful political rights of any person. Such supplementary rules shall be filed with the county clerk and the secretary of state in the same manner as other rules are filed.

C. A qualified political party shall cease to be qualified for the purposes of the Election Code if two successive general elections are held without at least one of the party's candidates on the ballot or if the total votes cast for the party's candidates for governor or president of the United States, provided that the party has a candidate seeking election to either of these offices, in a general election do not equal at least one-half of one percent of the total votes cast for the office of governor or president of the United States, as applicable. No later than March 15 of an odd-numbered year, the secretary of state shall send notice of nonqualification to the state chair of any political party that fails to remain qualified. The notice shall be delivered by registered mail to the last known address of the state chair of the political party, and a copy shall be kept in the secretary of state's file of parties qualified in New Mexico.

D. The secretary of state shall then notify all county clerks and the motor vehicle division of the taxation and revenue department of the removal and nonqualification of the political party and shall post the notice on the [~~web-site~~] website maintained by the secretary of state. The secretary of state shall within forty-five days notify by mail all voters registered as members of such party of the removal and nonqualification of the party.

E. The motor vehicle division shall update the system used to capture electronic voter registrations with the updated list of qualified parties and authorized party codes within forty-five days of being notified of any party change by the secretary of state.

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[~~E.~~] F. To requalify, the party shall again comply with the provisions of the Election Code dealing with filing requirements for political parties."",

and thence referred to the **JUDICIARY COMMITTEE.**

Respectfully submitted,

LINDA M. LOPEZ, CHAIRMAN

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 4 Against

Yes: 6

No: Ingle, Moores, Papen, Pirtle

Excused: Baca

Absent: None

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