

HOUSE JOINT RESOLUTION 6

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

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Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 7, SECTION 5 OF THE  
CONSTITUTION OF NEW MEXICO AUTHORIZING THE LEGISLATURE TO  
PROVIDE BY LAW FOR RUNOFF ELECTIONS FOR PRIMARY AND STATEWIDE  
ELECTIONS.

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

SECTION 1. It is proposed to amend Article 7, Section 5  
of the constitution of New Mexico to read:

"A. All elections shall be by ballot.

B. The legislature may provide by law for runoff

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elections for all elections other than municipal [HJC→, ←HJC  
~~primary or statewide~~] elections. If the legislature does not  
provide for runoff elections, the person who receives the  
highest number of votes for any office, except as provided in  
this section, and except in the cases of the offices of  
governor and lieutenant governor, shall be declared elected to  
that office. The joint candidates receiving the highest number  
of votes for the offices of governor and lieutenant governor  
shall be declared elected to those offices.

C. In a municipal election, the candidate that  
receives the most votes for an office shall be declared elected  
to that office, unless the municipality has provided for runoff  
elections. A municipality may provide for runoff elections as  
follows:

(1) a municipality that has not adopted a  
charter pursuant to Article 10, Section 6 of the constitution  
of New Mexico may provide by ordinance for runoff elections;

(2) a municipality that has adopted a charter  
pursuant to Article 10, Section 6 of the constitution of New  
Mexico, and prior to the adoption of this amendment the charter  
provided for runoff elections, shall hold runoff elections  
pursuant to the charter; or

(3) a municipality that adopts or has adopted  
a charter pursuant to Article 10, Section 6 of the constitution  
of New Mexico may, subsequent to the adoption of this

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amendment, provide for runoff elections as provided in its charter."

SECTION 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

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