

1 HOUSE JOINT RESOLUTION 6

2 54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

3 INTRODUCED BY

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10 A JOINT RESOLUTION

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

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

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

19 "A. All elections shall be by ballot.

20 B. The legislature may provide by law for runoff
21 elections for all elections other than municipal [~~primary or~~
22 ~~statewide~~] elections. If the legislature does not provide for
23 runoff elections, the person who receives the highest number of
24 votes for any office, except as provided in this section, and
25 except in the cases of the offices of governor and lieutenant

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1 governor, shall be declared elected to that office. The joint
2 candidates receiving the highest number of votes for the
3 offices of governor and lieutenant governor shall be declared
4 elected to those offices.

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

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

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

18 (3) a municipality that adopts or has adopted
19 a charter pursuant to Article 10, Section 6 of the constitution
20 of New Mexico may, subsequent to the adoption of this
21 amendment, provide for runoff elections as provided in its
22 charter."

23 SECTION 2. The amendment proposed by this resolution
24 shall be submitted to the people for their approval or
25 rejection at the next general election or at any special

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1 election prior to that date that may be called for that
2 purpose.

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