

1 SENATE BILL 254

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Mark Moores

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10 AN ACT

11 RELATING TO ELECTIONS; ENACTING NEW PROCEDURES FOR FILLING A
12 VACANCY IN THE OFFICE OF UNITED STATES REPRESENTATIVE;
13 PROVIDING FOR A SPECIAL MAJOR POLITICAL PARTY PRIMARY AND
14 SUBSEQUENT SPECIAL GENERAL ELECTION TO FILL THE VACANCY;
15 PRESCRIBING DECLARATION OF CANDIDACY REQUIREMENTS; REQUIRING
16 CANDIDATES REGARDLESS OF POLITICAL PARTY AFFILIATION TO PAY A
17 FILING FEE OR FILE A NOMINATING PETITION IN LIEU OF FEES;
18 MAKING CONFORMING CHANGES; AMENDING, REPEALING AND ENACTING
19 SECTIONS OF THE NMSA 1978; DECLARING AN EMERGENCY.

20
21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

22 SECTION 1. Section 1-8-33 NMSA 1978 (being Laws 1973,
23 Chapter 228, Section 7, as amended) is amended to read:

24 "1-8-33. PRIMARY ELECTION LAW--NOMINATING PETITION--
25 NUMBER OF SIGNATURES REQUIRED.--

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1 A. As used in this section, "total vote" means the
2 sum of all votes cast for all of the party's candidates for
3 governor at the last preceding primary election at which the
4 party's candidate for governor was nominated.

5 B. Candidates who seek preprimary convention
6 designation shall file nominating petitions at the time of
7 filing declarations of candidacy. Nominating petitions for
8 those candidates shall be signed by a number of voters equal to
9 at least two percent of the total vote of the candidate's party
10 in the state or congressional district, or the following number
11 of voters, whichever is greater: for statewide offices, two
12 hundred thirty voters; and for congressional candidates,
13 seventy-seven voters.

14 C. Nominating petitions for candidates for any
15 other office to be voted on at the primary election for which
16 nominating petitions are required shall be signed by a number
17 of voters equal to at least three percent of the total vote of
18 the candidate's party in the district or division, or the
19 following number of voters, whichever is greater: for
20 metropolitan court and magistrate courts, ten voters; ~~[for the~~
21 ~~public regulation commission, fifty voters]~~ for the public
22 education commission, twenty-five voters; for state
23 representative, ten voters; for state senator, seventeen
24 voters; and for district attorney and district judge, fifteen
25 voters.

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1 D. A nominating petition to fill a vacancy in the
2 office of United States representative shall be signed by a
3 number of voters equal to at least one percent of the total
4 number of votes cast in the district.

5 ~~[D.]~~ E. A candidate who fails to receive the
6 preprimary convention designation that the candidate sought may
7 collect additional signatures to total at least four percent of
8 the total vote of the candidate's party in the state or
9 congressional district, whichever applies to the office the
10 candidate seeks, and file a new declaration of candidacy and
11 nominating petitions for the office for which the candidate
12 failed to receive a preprimary designation. The declaration of
13 candidacy and nominating petitions shall be filed with the
14 secretary of state either ten days following the date of the
15 preprimary convention at which the candidate failed to receive
16 the designation or on the date all declarations of candidacy
17 and nominating petitions are due pursuant to the provisions of
18 the Primary Election Law, whichever is later."

19 SECTION 2. Section 1-8-46 NMSA 1978 (being Laws 1977,
20 Chapter 322, Section 2) is amended to read:

21 "1-8-46. INDEPENDENT CANDIDATES FOR GENERAL OR UNITED
22 STATES REPRESENTATIVE SPECIAL ELECTIONS--RIGHT TO BE PLACED ON
23 BALLOT.--The name of any independent candidate for an office to
24 be voted on at a general election or United States
25 representative special general election shall be placed by the

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1 proper filing officer on such ballot."

2 SECTION 3. Section 1-8-48 NMSA 1978 (being Laws 1977,
3 Chapter 322, Section 4, as amended) is amended to read:

4 "1-8-48. INDEPENDENT CANDIDATES FOR GENERAL OR UNITED
5 STATES REPRESENTATIVE ELECTIONS--DECLARATION OF INDEPENDENT
6 CANDIDACY AND NOMINATING PETITION.--

7 A. Nomination as an independent candidate shall be
8 made by filing a declaration of independent candidacy and a
9 nominating petition with the proper filing officer.

10 B. In making a declaration of independent
11 candidacy, the candidate for an office other than that of
12 president or vice president shall submit a sworn statement in
13 the following form:

14 "DECLARATION OF INDEPENDENT CANDIDACY

15 I, _____ (candidate's
16 name), being first duly sworn, say that:

17 I reside at _____;

18 I did not designate any current affiliation
19 with a qualified political party on my certificate
20 of registration on or before the date of issuance of
21 the secretary of state's general election
22 proclamation in the year of the general election at
23 which I seek to be a candidate;

24 I meet the qualifications listed in Section
25 1-8-45 NMSA 1978 for the office that I seek;

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1 I desire to become a candidate for the office
2 of _____, District _____
3 at the general election to be held on the date set
4 by law for this year or to fill the vacancy in the
5 office of United States representative at the
6 special general election to be held on the date set
7 by law for this year;

8 if the office I seek be a state or county
9 district office, I actually reside within the
10 district of the office for which I declare my
11 candidacy, and if the office I seek be a countywide
12 office, I actually reside in the county of the
13 office for which I declare my candidacy;

14 I will be eligible and legally qualified to
15 hold this office at the beginning of its term;

16 if a candidate for any office for which a
17 nominating petition is required, I am submitting
18 with this statement a nominating petition in the
19 form and manner as prescribed by the Election Code;
20 and

21 I make the foregoing affidavit under oath or
22 affirmation knowing that any false statement herein
23 constitutes a felony punishable under the criminal
24 laws of New Mexico.

25 _____

1 (Declarant)

2 _____
3 (Residence Address)

4 _____
5 (Mailing Address, if different)

6 Subscribed and sworn to or affirmed before me
7 this _____ day of _____, _____.
8 (month) (year)

9 _____
10 (Notary Public)

11 My commission expires:

12 _____".

13 C. The secretary of state shall prescribe and
14 furnish the form for the declaration of independent candidacy
15 for the office of president and vice president."

16 SECTION 4. Section 1-8-50 NMSA 1978 (being Laws 1977,
17 Chapter 322, Section 6, as amended) is amended to read:

18 "1-8-50. INDEPENDENT CANDIDATES FOR GENERAL OR UNITED
19 STATES REPRESENTATIVE SPECIAL ELECTIONS--NOMINATING PETITION
20 FORM.--

21 A. As used in Sections 1-8-45 through 1-8-52 NMSA
22 1978, "nominating petition" means the authorized form used for
23 obtaining the required number of signatures of voters that is
24 signed on behalf of the person wishing to become an independent
25 candidate for a political office in a general or United States

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1 representative special general election requiring a nominating
2 petition.

3 B. In making a declaration of candidacy, the
4 candidate shall file a nominating petition at the same time,
5 which shall be on forms prescribed by law.

6 C. The nominating petition for an independent
7 candidate for any office except president of the United States
8 shall be on paper approximately eight and one-half inches wide
9 and eleven inches long with numbered lines for signatures
10 spaced approximately three-eighths of an inch apart and shall
11 be in the following form:

12 "NOMINATING PETITION FOR INDEPENDENT CANDIDACY

13 I, the undersigned, a registered voter of
14 New Mexico, hereby nominate _____,
15 who resides at _____ in the county
16 of _____, New Mexico, as an independent
17 candidate for the office of _____,
18 to be voted for at the general election, or United States
19 representative special general election to be held on
20 _____,
21 (month) (day) (year)

22 and I declare that I am a registered voter of the state,
23 district, county or area to be represented by the office
24 for which the person being nominated is a candidate. I
25 also declare that I have not signed, and will not sign,

1 any nominating petition for more persons than the number
2 of candidates necessary to fill the office at the next
3 ensuing general election or at a United States
4 representative special general election.

- 5 1. _____
6 (usual (name printed (address as (city or zip
7 signature) as registered) registered code)
8 2. _____
9 (usual (name printed (address as (city or zip
10 signature) as registered) registered code).".

11 D. The nominating petition for an independent
12 candidate for the office of president of the United States
13 shall be on paper approximately eight and one-half inches wide
14 and eleven inches long with numbered lines for signatures
15 spaced approximately three-eighths of an inch apart and shall
16 be in the following form:

17 "NOMINATING PETITION FOR INDEPENDENT CANDIDACY
18 FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES

19 I, the undersigned, a registered voter of New
20 Mexico, by endorsement hereon, petition that the name of
21 _____ be printed on the general election ballot as
22 an independent candidate for the office of president of
23 the United States, to be voted on at the general election
24 to be held on November _____, _____. I also declare
25 that I am that person whose name appears hereon and that I

1 have not signed, nor will I sign, any nominating petition
2 for any other candidate seeking the office of president of
3 the United States at the next ensuing general election."

4 E. In March of even-numbered years, the secretary
5 of state shall post on the secretary of state's [~~web-site~~]
6 website and shall furnish to each county clerk a sample of the
7 nominating petition form, a copy of which shall be made
8 available by the county clerk upon request of any candidate as
9 provided by the Election Code.

10 F. When more than one sheet is required for a
11 petition, each of the sheets shall be in the form prescribed by
12 this section, and all sheets shall be firmly secured by a
13 staple or other suitable fastening."

14 SECTION 5. Section 1-8-51 NMSA 1978 (being Laws 1977,
15 Chapter 322, Section 7, as amended) is amended to read:

16 "1-8-51. INDEPENDENT CANDIDATES FOR GENERAL OR UNITED
17 STATES REPRESENTATIVE ELECTIONS--NOMINATING PETITIONS--REQUIRED
18 NUMBER OF SIGNATURES.--

19 A. The basis of percentage for the total number of
20 votes cast in each instance referred to in this section shall
21 be the total vote cast for governor at the last preceding
22 general election at which a governor was elected.

23 B. Nominating petitions for an independent
24 candidate for president of the United States shall be signed by
25 a number of voters equal to the number of signatures required

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1 to form a new political party.

2 C. Nominating petitions for an independent
3 candidate for United States senator or any other statewide
4 elective office shall be signed by a number of voters equal to
5 at least two percent of the total number of votes cast in the
6 state.

7 D. Nominating petitions for an independent
8 candidate for United States representative shall be signed by a
9 number of voters equal to at least two percent of the total
10 number of votes cast in the district.

11 E. Nominating petitions for an independent
12 candidate to fill a vacancy in the office of United States
13 representative at a special general election shall be signed by
14 a number of voters equal to at least one percent of the total
15 number of votes cast in the district.

16 [~~E.~~] F. Nominating petitions for an independent
17 candidate for a member of the legislature, [~~public regulation~~
18 ~~commission~~] district judge, district attorney, member of the
19 public education commission, magistrate or county office shall
20 be signed by a number of voters equal to at least two percent
21 of the total number of votes cast in the district, division or
22 county, as the case may be.

23 [~~F.~~] G. When a vacancy for any office occurs on the
24 general election ballot pursuant to Section 1-8-7 or 1-8-8 NMSA
25 1978 in which all political parties may name a general election

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1 candidate or when a vacancy occurs in the office of United
2 States representative pursuant to Section 1-15-18.1 NMSA 1978,
3 an independent candidate may file a declaration of candidacy on
4 or by the same deadline applicable to the political parties.
5 The nominating petitions for an independent candidate in such
6 circumstances shall be signed by the number of voters provided
7 in this section, unless there are fewer than:

8 (1) sixty days from the announcement of the
9 vacancy to the last day to file a declaration of candidacy, in
10 which case an independent candidate shall submit nominating
11 petitions signed by a number of voters equal to two-thirds the
12 number of voters otherwise required by this section for an
13 independent candidate; or

14 (2) thirty days from the announcement of the
15 vacancy to the last day to file a declaration of candidacy, in
16 which case an independent candidate shall submit nominating
17 petitions signed by a number of voters equal to one-third the
18 number of voters otherwise required by this section for an
19 independent candidate.

20 [~~G.~~] H. A voter shall not sign a petition for an
21 independent candidate as provided in this section if the voter
22 has signed a petition for another independent candidate for the
23 same office."

24 SECTION 6. Section 1-8-52 NMSA 1978 (being Laws 1977,
25 Chapter 322, Section 8, as amended by Laws 2014, Chapter 40,
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1 Section 8 and by Laws 2014, Chapter 81, Section 8) is amended
2 to read:

3 "1-8-52. INDEPENDENT CANDIDATES FOR GENERAL OR
4 UNITED STATES REPRESENTATIVE SPECIAL GENERAL ELECTIONS--
5 NOMINATING PETITIONS--CIRCULATION--DATE OF FILING.--

6 A. Declarations of independent candidacy and
7 nominating petitions shall be filed with the proper filing
8 officer between 9:00 a.m. and 5:00 p.m. on the twenty-third day
9 following the primary election of each even-numbered year and
10 between 9:00 a.m. and 5:00 p.m. on the [~~fifty-sixth day~~
11 ~~preceding~~] seventh day following any United States
12 representative special primary election.

13 B. Declarations of independent candidacy and
14 nominating petitions for the office of president of the
15 United States shall be filed with the proper filing officer
16 between 9:00 a.m. and 5:00 p.m. on the twenty-third day
17 following the primary election."

18 SECTION 7. Section 1-8-65 NMSA 1978 (being Laws 2014,
19 Chapter 40, Section 7 and Laws 2014, Chapter 81, Section 7) is
20 amended to read:

21 "1-8-65. MINOR POLITICAL PARTY CANDIDATES FOR GENERAL OR
22 UNITED STATES REPRESENTATIVE SPECIAL GENERAL ELECTIONS--
23 NOMINATING PETITION FORM.--

24 A. As used in Sections 1-8-2 through 1-8-4 NMSA
25 1978, "nominating petition" means the authorized form used for

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1 obtaining the required number of signatures of voters that is
2 signed on behalf of the person wishing to become a minor
3 political party candidate for a political office in a general
4 or United States representative special general election
5 requiring a nominating petition.

6 B. In making a declaration of candidacy, the
7 candidate shall file a nominating petition at the same time,
8 which shall be on forms prescribed by law.

9 C. The nominating petition for a minor political
10 party candidate for any office requiring a nominating petition
11 shall be on paper approximately eight and one-half inches wide
12 and eleven inches long with numbered lines for signatures
13 approximately three-eighths inch apart and shall be in the
14 following form:

15 "NOMINATING PETITION FOR MINOR POLITICAL PARTY CANDIDACY
16 (GENERAL ELECTION)

17 I, the undersigned, a registered voter of
18 New Mexico, hereby nominate _____, who resides at
19 _____ in the county of _____,
20 New Mexico, for the _____ party nomination for the
21 office of _____ to be voted for at the
22 general election or United States representative special
23 general election to be held on _____, and I declare that I
24 am a registered voter of the area to be represented by the
25 office for which the person being nominated is a candidate. I

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1 also declare that I have not signed, and will not sign, any
2 nominating petition for more persons than the number of
3 candidates necessary to fill such office at the next ensuing
4 general election or at a United States representative special
5 general election. I understand that if the candidate's
6 political party does not qualify as a minor political party,
7 the candidate may run as an unaffiliated independent candidate.

8 1. _____
9 (usual signature) (name printed (address as (city or zip
10 as registered) registered) code)

11 2. _____
12 (usual signature) (name printed (address as (city or zip
13 as registered) registered) code)".

14 D. In March of even-numbered years, the secretary
15 of state shall post on the secretary of state's web site and
16 shall furnish to each county clerk a sample of a nominating
17 petition form, a copy of which shall be made available by the
18 county clerk upon request of any candidate.

19 E. When more than one sheet is required for a
20 petition, each of the sheets shall be in the form prescribed by
21 this section."

22 SECTION 8. Section 1-15-18.1 NMSA 1978 (being Laws 1983,
23 Chapter 232, Section 16, as amended) is amended to read:

24 "1-15-18.1. UNITED STATES REPRESENTATIVE--VACANCY.--

25 A. Within ten days after a vacancy occurs in the

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1 office of United States representative, the secretary of state
2 shall, by proclamation, call ~~[an]~~ a special primary election
3 ~~[to be held not less than seventy-seven nor more than ninety-~~
4 ~~one days after the date of the vacancy]~~ and a special general
5 election for the purpose of filling the vacancy, except as
6 provided in Subsections ~~[H and I]~~ J and K of this section.

7 B. The proclamation shall forthwith be filed by the
8 secretary of state in the office of the secretary of state.
9 The proclamation shall specify ~~[the]~~:

10 (1) ~~[date]~~ the dates on which the special
11 primary election and special general election will be held;
12 provided that the special primary election shall be held on a
13 Tuesday that is at least sixty-three days after the date of the
14 proclamation and the special general election shall be held on
15 a Tuesday that is at least sixty-three days after the date of
16 the special primary election;

17 (2) the purpose for which the election is
18 called;

19 (3) the date on which declarations of
20 candidacy are to be filed by major political party candidates
21 to participate in the special primary election;

22 (4) the date on which declarations of
23 candidacy are to be filed by minor political party candidates
24 and unaffiliated candidates to participate in the special
25 general election;

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1 [~~(4)~~] (5) the date on which declarations of
2 intent to be a write-in candidate are to be filed; and

3 [~~(5)~~] (6) the date certificates of
4 registration are to be subscribed and sworn to participate in
5 the election as required by law.

6 C. After the proclamation is issued pursuant to
7 Subsection B of this section, the secretary of state shall
8 within five days certify the proclamation to each county clerk
9 with precincts located in the United States representative
10 district in which the vacancy exists. Beginning not less than
11 sixty-three days before the date of the election, the secretary
12 of state shall publish the proclamation once each week for two
13 consecutive weeks in a newspaper of general circulation.

14 D. [~~Upon the issuance of the proclamation, each~~
15 ~~qualified political party may nominate in the manner provided~~
16 ~~by the rules of that party a candidate to fill the vacancy in~~
17 ~~the office of United States representative; provided that such~~
18 ~~nomination is certified to the secretary of state by the state~~
19 ~~chair of that party no later than 5:00 p.m. on the fifty-sixth~~
20 ~~day preceding the date of the election] A major political party
21 shall nominate its candidate to fill the vacancy in the office
22 of United States representative at the special primary
23 election. A person seeking nomination as a major political
24 party candidate to fill the vacancy shall have the candidate's
25 name placed on the special primary election ballot by filing a~~

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1 declaration of candidacy with the secretary of state no later
2 than 5:00 p.m. on the fifty-sixth day preceding the date of the
3 special primary election and complying with the requirements of
4 Subsection H of this section.

5 E. A minor political party shall nominate its
6 candidate to fill the vacancy in the office of United States
7 representative in the manner prescribed in its party rules and
8 regulations and shall certify the party's nominee to the
9 secretary of state no later than the tenth day following the
10 special primary election. A certified minor political party
11 candidate shall have the candidate's name placed on the special
12 general election ballot by filing a declaration of candidacy
13 with the secretary of state no later than 5:00 p.m. on the
14 seventh day following the date of the special primary election
15 and complying with the requirements of Subsection H of this
16 section.

17 ~~[E. Declarations of]~~ F. An unaffiliated
18 ~~[candidacy]~~ candidate to fill the vacancy in the office of
19 United States representative ~~[and nominating petitions~~
20 ~~pertaining thereto shall be filed with the secretary of state~~
21 ~~no later than 5:00 p.m. on the fifty-sixth day preceding the~~
22 ~~date of the election]~~ shall have the candidate's name placed on
23 the special general election ballot by filing a declaration of
24 candidacy with the secretary of state no later than 5:00 p.m.
25 on the tenth day following the date of the special primary

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1 election and complying with the requirements of Subsection H of
2 this section.

3 ~~[F. Declarations of intent to be]~~ G. A write-in
4 candidate to fill a vacancy in the office of United States
5 representative shall ~~[be filed]~~ have the candidate's name
6 placed on the special general election ballot by filing a
7 declaration of intent with the secretary of state no later than
8 5:00 p.m. on the ~~[fifty-sixth]~~ tenth day ~~[preceding]~~ following
9 the date of the special primary election and complying with the
10 requirements of Subsection H of this section.

11 H. At the time of filing a declaration of candidacy
12 or intent to be a write-in candidate pursuant to Subsections D
13 through G of this section, a person seeking to become a
14 candidate to fill a vacancy in the office of United States
15 representative shall pay a filing fee in the amount of three
16 thousand dollars (\$3,000) or, in lieu of paying the filing fee,
17 file a nominating petition signed by a number of voters equal
18 to at least one percent of the total number of votes cast in
19 the district for governor at the last preceding general
20 election at which a governor was elected.

21 ~~[G.]~~ I. Special primary elections and special
22 general elections called for the purpose of filling a vacancy
23 in the office of United States representative shall be
24 conducted in accordance with the provisions of the Election
25 Code for general elections; provided, however, if there is a

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1 conflict between this section and other provisions of the
2 Election Code, the provisions of this section shall control.
3 The secretary of state shall, only when necessary, adjust the
4 day provided in the Uniform Military and Overseas Voters Act to
5 send ballots to federal qualified electors in an election to
6 fill a vacancy in the office of United States representative.
7 The adjusted day shall be immediately posted on the website of
8 the secretary of state and reported to the federal voting
9 assistance program.

10 [H.] J. If a vacancy occurs in the office of United
11 States representative beginning [~~one hundred sixty days and no~~
12 ~~less than sixty-three days before a statewide election, the~~
13 ~~vacancy shall be filled at the next statewide election;~~
14 ~~provided that when filling a vacancy]:~~

15 (1) [~~at~~] less than one hundred sixty days
16 before a general election, a special primary election and
17 special general election to fill the vacancy shall not be held.
18 The candidates seeking the office of United States
19 representative in that general election for the next succeeding
20 term shall be deemed to be candidates for the unexpired term as
21 well, and the candidate elected shall take office upon the
22 certification of the election results; [~~or~~

23 (2) ~~at a political party primary or a regular~~
24 ~~local election] (2) after a general election and ending on the
25 last day of the term, the candidate elected in the general~~

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1 election for the next succeeding term shall fill the vacancy
2 and take office upon certification of the election results;

3 (3) one hundred sixty days but no less than
4 one hundred thirty days before a political party primary, the
5 special general election to fill the vacancy shall be conducted
6 concurrently with the political party primary. Each political
7 party primary ballot shall contain the special general election
8 to fill the vacancy in the office of United States
9 representative listed before the contests in the political
10 party primary [~~or regular local election~~] and ballots

11 containing only the special general election [~~of~~] to fill the
12 vacancy in the office of United States representative shall be
13 available to voters who do not otherwise qualify to vote in the
14 political party primary [~~or that regular local election~~]; and

15 (4) ninety days but no less than sixty-three
16 days before a political party primary, the special primary
17 election shall be held concurrently with the political party
18 primary.

19 ~~[F.]~~ K. If a vacancy occurs in the office of United
20 States representative in extraordinary circumstances when there
21 are more than one hundred vacancies in the United States house
22 of representatives and there are more than seventy-five days
23 before a regularly scheduled election, then pursuant to 2
24 U.S.C. Section 8(b):

25 (1) the governor shall immediately issue a

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1 writ of election, upon which the secretary of state shall, by
2 proclamation, call an election to be held not more than
3 forty-nine days after the vacancy is announced and file the
4 proclamation along with the writ in the office of the secretary
5 of state;

6 (2) the secretary of state shall immediately
7 certify the proclamation to each county clerk with precincts
8 located in the United States representative district in which
9 the vacancy exists, and beginning not less than thirty-five
10 days before the date of the election, the secretary of state
11 shall publish the proclamation once each week for two
12 consecutive weeks in a newspaper of general circulation;

13 (3) each qualified political party may
14 nominate in the manner provided by the rules of that party a
15 candidate to fill the vacancy in the office of United States
16 representative; provided that such nomination is certified to
17 the secretary of state by the state chair of that party no
18 later than 5:00 p.m. on the tenth business day following
19 announcement of the vacancy;

20 (4) declarations of independent candidacy to
21 fill the vacancy in the office of United States representative
22 and nominating petitions pertaining thereto shall be filed with
23 the secretary of state no later than 5:00 p.m. on the tenth
24 business day following announcement of the vacancy; and

25 (5) declarations of intent to be a write-in

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1 candidate to fill the vacancy in the office of United States
2 representative shall be filed with the secretary of state no
3 later than 5:00 p.m. on the tenth business day following
4 announcement of the vacancy.

5 [J-] L. The state shall pay all costs of an
6 election to fill a vacancy in the office of United States
7 representative when the election is not held on the same ballot
8 as a statewide election."

9 SECTION 9. REPEAL.--Laws 2020, Chapter 9, Sections 5 and
10 7 are repealed.

11 SECTION 10. EMERGENCY.--It is necessary for the public
12 peace, health and safety that this act take effect immediately.