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HOUSE JOINT RESOLUTION 14
55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY
Pamelya Herndon and Kay Bounkeua

A JOINT RESOLUTION
PROPOSING AMENDMENTS TO ARTICLE 5, SECTION 2 AND ARTICLE 7,
SECTION 5 OF THE CONSTITUTION OF NEW MEXICO TO ALLOW 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 5, Section 2
of the constitution of New Mexico to read:

"The returns of every election for state officers shall be
sealed up and transmitted to the secretary of state, who, with
the governor and chief justice, shall constitute the state
canvassing board, which shall canvass and declare the result of
the election. Unless the legislature provides by law for
runoff elections, the joint candidates having the highest
number of votes cast for governor and lieutenant governor and

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1 the person having the highest number of votes for any other
2 office, as shown by said returns, shall be declared duly
3 elected; and if two or more have an equal, and the highest,
4 number of votes for the same office or offices, one of them, or
5 any two for whom joint votes were cast for governor and
6 lieutenant governor respectively, shall be chosen therefor by
7 the legislature on joint ballot."

8 SECTION 2. It is proposed to amend Article 7, Section 5
9 of the constitution of New Mexico to read:

10 "A. All elections shall be by ballot.

11 B. The legislature may provide by law for runoff
12 elections for all elections other than municipal [~~primary or~~
13 ~~statewide~~] elections. If the legislature does not provide for
14 runoff elections, the person who receives the highest number of
15 votes for any office, except as provided in this section, and
16 except in the cases of the offices of governor and lieutenant
17 governor, shall be declared elected to that office. The joint
18 candidates receiving the highest number of votes for the
19 offices of governor and lieutenant governor shall be declared
20 elected to those offices.

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

.222436.1

