

1 SENATE BILL 335

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Gerald Ortiz y Pino and Katy M. Duhigg

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10 AN ACT

11 RELATING TO ELECTIONS; DELAYING UNTIL 2025 THE IMPLEMENTATION
12 OF THE LOCAL ELECTION ACT AS APPLIED TO DISTRICTS CREATED
13 PURSUANT TO THE CONSERVANCY ACT OF NEW MEXICO; PROVIDING
14 REQUIREMENTS FOR THE CONDUCT OF DISTRICT ELECTIONS IN 2023;
15 DECLARING AN EMERGENCY.

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. TEMPORARY PROVISION--DISTRICTS CREATED
19 PURSUANT TO THE CONSERVANCY ACT OF NEW MEXICO--CONDUCT OF 2023
20 ELECTION.--

21 A. Notwithstanding the provisions of The
22 Conservancy Act of New Mexico that provide for district
23 elections to be conducted pursuant to the Local Election Act, a
24 district organized pursuant to that act shall conduct its 2023
25 election in accordance with the provisions of this section and

.223862.3

underscored material = new
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1 election procedures adopted by the district's board of
2 directors. In 2025, a district shall conduct its election
3 pursuant to the Local Election Act. The secretary of state
4 shall work with the districts to identify barriers, provide
5 recommendations and coordinate efforts to ensure each
6 district's participation in the regular local election of 2025.

7 B. A district's board of directors shall select an
8 election director to provide election services. The election
9 director shall operate pursuant to a contract, which may be
10 approved by the secretary of state upon request of the board of
11 directors.

12 C. The 2023 election may be conducted by emergency
13 paper ballot, electronic voting machine or any other state-
14 certified tabulating voting machine.

15 D. For the middle Rio Grande conservancy district,
16 the 2023 election shall be held on October 3, 2023. For any
17 other district, the 2023 election shall be held on a date
18 determined by the district's board of directors that is:

19 (1) before the first Tuesday in October 2023;

20 or

21 (2) the later of:

22 (a) forty-five days after the
23 adjournment of the state or county canvassing board for the
24 2023 regular local election; or

25 (b) forty-five days after any recount,

underscoring material = new
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1 contest or other judicial inquiry regarding the 2023 regular
2 local election.

3 E. As used in this section, "district" means a
4 district organized pursuant to The Conservancy Act of New
5 Mexico.

6 SECTION 2. EMERGENCY.--It is necessary for the public
7 peace, health and safety that this act take effect immediately.

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