

LFC Requester:

Ruby Ann Esquibel

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 01/26/2026

Check all that apply:

Bill Number: HB 135

Original X Correction
Amendment Substitute

Sponsor: Rep. Matthew McQueen

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing

Short Title: Election Nominating Petition Changes

Analysis: Ben Osborn

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

HB 135 proposes to amend the Election Code to allow voters to sign nominating petitions for multiple candidates; presently voters may only sign one nominating petition per candidate per position. HB 135 does not affect the number of signatures prospective candidates must secure but instead expands the pool of eligible signers for any given prospective candidate.

Section 1 would amend Section 1-1-7.2 by deleting the prohibition against signing more than one nominating petition for the same office and providing that a person signing more than one nominating petition for the same office does not create a presumption of invalidity. The last change in Section 1, which is significant in light of New Mexico’s move to a semi-open primary system last year, allows independent voters to also sign multiple nominating petitions for political-party primaries.

Section 2 would amend Section 1-8-2 by deleting paragraph F, which states that no voter shall sign a primary election nominating petition for more persons than the number of candidates necessary to fill the office at the next general election.

Section 3 would amend Section 1-8-30, which sets the standard nominating form language for primary election nomination petitions. Section 3 specifies that the signer may be non-affiliated or not declared as affiliated, and deletes the attestation that the signer has not signed and will not sign any other nominating petitions for the same office.

Section 4 would amend Section 1-8-50, which sets the standard nominating petition form for independent candidates to secure placement on special election ballots. Specifically, Section 4 deleted the signer’s declaration that he or she has not and will not sign any other nominating petitions for the same office of United States Representative, United States Senator, and United States President for said special election.

Section 5 would amend Section 1-8-51, which sets the standard nominating petition form for independent candidates for United States Representatives. Specifically, Section 5 deletes Section 1-8-51(G), which prohibits voters from signing petitions for any independent candidate if the voter already has signed a petition for another independent candidate for the same office.

Section 6 would amend Section 1-8-65, which sets the standard nominating petition form for minor political party candidates for general or special elections for the United States House of Representatives. Specifically, Section 6 deletes the attestation that the signer has not signed and will not sign any petitions for more persons than the number of candidates necessary to fill such

office.

Section 7 would amend Section 1-15A-6, which details the submission deadline and formatting requirements for nominating petitions. Specifically, Section 7 deletes the language that each signer of such petition shall sign but one petition, while adding that, if a person has signed one petition more than once, only one signature from that person shall count toward the total number of signatures for that candidate. This latter language is substantively unchanged from the present statute, which provides that, where a signer gives two signatures for the same candidate, only the first signature shall count toward the candidate's total.

Section 8 makes the bill's effective date July 1, 2026. This would render the change effective after the major party primary elections (presently March) yet before the 2026 general election.

FISCAL IMPLICATIONS

None for this office.

SIGNIFICANT ISSUES

No significant legal issues presented.

PERFORMANCE IMPLICATIONS

None for this office.

ADMINISTRATIVE IMPLICATIONS

None for this office.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None.