

HOUSE BILL 135

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Matthew McQueen

AN ACT

RELATING TO ELECTIONS; AMENDING THE ELECTION CODE TO ALLOW VOTERS TO SIGN MORE THAN ONE NOMINATING PETITION FOR THE SAME OFFICE, TO REDUCE THE NUMBER OF SIGNATURES REQUIRED ON PETITIONS FOR INDEPENDENT CANDIDATES AND TO ALLOW UNAFFILIATED VOTERS TO SIGN NOMINATING PETITIONS IN A PRIMARY ELECTION.

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

SECTION 1. Section 1-1-7.2 NMSA 1978 (being Laws 1973, Chapter 228, Section 5, as amended) is amended to read:

"1-1-7.2. PETITIONS--NOMINATIONS--SIGNATURES TO BE
COUNTED--

[A. A person who signs a nominating petition shall sign only one petition for the same office unless more than one candidate is to be elected to that office, and in that case, a person may sign not more than the number of nominating

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1 ~~petitions equal to the number of candidates to be elected to~~
2 ~~the office.~~

3 B.] A. A person who signs a nominating petition
4 shall indicate the person's registration address. If the
5 person does not have a standard street address, the person may
6 provide the mailing address as shown on the person's
7 certificate of registration.

8 [C.] B. A signature shall be counted on a
9 nominating petition unless there is evidence presented that the
10 petition does not provide the information required by the
11 nominating petition for each person signing or the person
12 signing:

13 (1) is not a voter of the state, district,
14 county or area to be represented by the office for which the
15 person seeking the nomination is a candidate;

16 ~~(2) has signed more than one petition for the~~
17 ~~same office, except as provided in Subsection A of this~~
18 ~~section, and if the person has signed more than one petition~~
19 ~~for the same office and in the same election cycle, none of the~~
20 ~~challenged signatures from that person shall count toward the~~
21 ~~total number of signatures required for any candidate for that~~
22 ~~office;~~

23 ~~(3)] (2) has signed one petition more than~~
24 once, in which case only one signature from that person shall
25 count toward the total number of signatures required for that

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1 candidate for office;

2 [4] (3) in a primary election, is not of the
3 same political party as the candidate named in the nominating
4 petition as shown by the signer's certificate of registration
5 or is not a person who has declined to state a political party
6 preference on the signer's certificate of registration; or

7 [5] (4) is not the person whose name appears
8 on the nominating petition.

9 [D.] C. The procedures set forth in this section
10 shall be used to validate signatures on any petition required
11 by the Election Code, except that Paragraph [4] (3) of
12 Subsection [E] B of this section shall not apply to petitions
13 filed by unaffiliated candidates or petitions filed by
14 candidates of minor political parties.

15 [E.] D. No later than January 1, 2024, the
16 secretary of state shall implement a secure internet
17 application, in addition to the paper circulation process, to
18 gather electronic signatures in accordance with rules developed
19 by the secretary of state. The secure internet application
20 shall provide for the ability to verify that a person signing
21 the petition is a registered voter and is eligible to sign the
22 petition for a particular candidate."

23 SECTION 2. Section 1-8-2 NMSA 1978 (being Laws 1969,
24 Chapter 240, Section 152, as amended) is amended to read:

25 "1-8-2. NOMINATION BY MINOR POLITICAL PARTY--CONVENTION--

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1 DESIGNATED NOMINEES.--

2 A. If the rules of a minor political party require
3 nomination by political convention:

4 (1) the chair and secretary of the state
5 political convention shall certify to the secretary of state
6 the names of their party's nominees for United States senator,
7 United States representative, all elective state offices,
8 legislative offices elected from multiconty districts, all
9 elective judicial officers in the judicial department and all
10 offices representing a district composed of more than one
11 county; and

12 (2) the chair and secretary of the county
13 political convention shall certify to the county clerk the
14 names of their party's nominees for elected county offices and
15 for legislative offices elected from a district located wholly
16 within one county or that is composed of only one county.

17 B. The names certified to the secretary of state
18 shall be filed on the twenty-third day following the primary
19 election in the year of the general election and shall be
20 accompanied by a nominating petition containing the signatures
21 of voters totaling not less than one percent of the total
22 number of votes cast for governor at the last preceding general
23 election at which a governor was elected:

24 (1) in the state for statewide offices;
25 provided that if there are fewer members of the minor party

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1 registered to vote in the state for statewide offices or
2 registered to vote in the district for offices other than
3 statewide offices than the number of signatures required for
4 that office, a nominating petition shall contain the signatures
5 of voters totaling not less than the required number of
6 signatures of voters for independent candidates for the same
7 office; and provided further that for the public education
8 commission, a nominating petition shall be signed by at least
9 two-thirds of the number of signatures that would otherwise be
10 required, and for a judicial office, a nominating petition
11 shall be signed by two-thirds of the number of signatures that
12 would otherwise be required; and

13 (2) in the district for offices other than
14 statewide offices.

15 The petition shall contain a statement that the voters
16 signing the petition are residents of the area to be
17 represented by the office for which the person being nominated
18 is a candidate.

19 C. The names certified to the county clerk shall be
20 filed on the twenty-third day following the primary election in
21 the year of the general election and shall be accompanied by a
22 nominating petition containing the signatures of voters
23 totaling not less than one percent of the total number of votes
24 cast for governor at the last preceding general election at
25 which a governor was elected:

.232784.2

(1) in the county for countywide offices; and
(2) in the district for offices other than countywide offices; provided that if there are fewer members of the minor party registered to vote in the county for countywide offices or registered to vote in the district for offices other than countywide offices than the number of signatures required for that office, a nominating petition shall contain the signatures of voters totaling not less than the required number of signatures of voters for independent candidates for the same office; and provided further that for a judicial office, a nominating petition shall be signed by two-thirds of the number of signatures that would otherwise be required.

The petition shall contain a statement that the voters signing the petition are residents of the area to be represented by the office for which the person being nominated is a candidate.

D. Except in the case of a political party certified in the year of the election, persons certified as candidates shall be members of that party on the day the secretary of state issues the general election proclamation.

E. When a political party is certified in the year of the general election, and after the day the secretary of state issues the general election proclamation, a person certified as a candidate shall be:

(1) a member of that party not later than the

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1 date the political party filed its rules and qualifying
2 petitions pursuant to Sections 1-7-2 and 1-7-4 NMSA 1978; and
3 (2) a resident in the district of the office
4 for which the person is a candidate on the date of the
5 secretary of state's proclamation for the general election or
6 in the case of a person seeking the office of United States
7 senator or United States representative, a resident within New
8 Mexico on the date of the secretary of state's proclamation for
9 the general election. No person who is a candidate for a party
10 in a primary election may be certified as a candidate for a
11 different party in the general election in the same election
12 cycle.

13 [F. ~~No voter shall sign a petition prescribed by~~
14 ~~this section for more persons than the number of candidates~~
15 ~~necessary to fill the office at the next ensuing general~~
16 ~~election.]~~"

17 SECTION 3. Section 1-8-30 NMSA 1978 (being Laws 1973,
18 Chapter 228, Section 4, as amended) is amended to read:

19 "1-8-30. PRIMARY ELECTION LAW--DECLARATION OF CANDIDACY--
20 NOMINATING PETITION--FILING AND FORM.--

21 A. As used in the Primary Election Law, "nominating
22 petition" means the authorized form used for obtaining the
23 required number of signatures of voters, which is signed on
24 behalf of the person wishing to become a candidate for a
25 political office in the primary election requiring a nominating

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1 petition.

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

5 C. The nominating petition shall be on paper
6 approximately eight and one-half inches wide and eleven inches
7 long with numbered lines for signatures spaced approximately
8 three-eighths of an inch apart and shall be in the following
9 form:

10 " NOMINATING PETITION

11 I, the undersigned, a registered voter of New Mexico, and
12 a member of the _____ party or a person who has
13 declined to state a political party preference on my
14 certificate of registration, hereby nominate _____,
15 who resides at _____ in the county of
16 _____, New Mexico, for the party nomination for the
17 office of _____, to be voted for at the
18 primary election to be held on ____, and I declare that I am a
19 registered voter of the state, district, county or area to be
20 represented by the office for which the person being nominated
21 is a candidate. [I also declare that I have not signed, and
22 will not sign, any nominating petition for more persons than
23 the number of candidates necessary to fill such office at the
24 next ensuing general election.]

25 1. _____

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1 (usual (name printed (address as (city or
2 signature) as registered) registered) zip code)
3 2. _____
4 (usual (name printed (address as (city or
5 signature) as registered) registered) zip code)..

D. In October of odd-numbered years, the secretary of state shall post on the secretary of state's [web site] website and shall furnish to each county clerk a sample of a nominating petition form, a copy of which shall be made available by the county clerk upon request of any candidate.

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

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

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

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

petition.

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

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

"NOMINATING PETITION FOR INDEPENDENT CANDIDACY

I, the undersigned, a registered voter of New Mexico,
hereby nominate _____, who resides at
_____, in the county of _____, New
Mexico, as an independent candidate for the office of
_____, to be voted for at the general
election, or United States representative special election to
be held on _____,

(month) (day) (year)

and I declare that I am a registered voter of the state, district, county or area to be represented by the office for which the person being nominated is a candidate. ~~[I also declare that I have not signed, and will not sign, any nominating petition for more persons than the number of candidates necessary to fill the office at the next ensuing~~

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1 general election or at a United States representative special
2 election.]

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

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

15 "NOMINATING PETITION FOR INDEPENDENT CANDIDACY

16 FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES

17 I, the undersigned, a registered voter of New Mexico, by
18 endorsement hereon, petition that the name of _____ be
19 printed on the general election ballot as an independent
20 candidate for the office of president of the United States, to
21 be voted on at the general election to be held on November
22 _____, _____. I also declare that I am that person whose
23 name appears hereon [and that I have not signed, nor will I
24 sign, any nominating petition for any other candidate seeking
25 the office of president of the United States at the next

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1 ensuing general election]".

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

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

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

14 "1-8-51. INDEPENDENT CANDIDATES FOR GENERAL OR UNITED
15 STATES REPRESENTATIVE ELECTIONS--NOMINATING PETITIONS--REQUIRED
16 NUMBER OF SIGNATURES.--

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

21 B. Nominating petitions for an independent
22 candidate for president of the United States shall be signed by
23 a number of voters equal to the number of signatures required
24 to form a new political party.

25 C. Nominating petitions for an independent

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1 candidate for United States senator or any other statewide
2 elective office shall be signed by a number of voters equal to
3 at least [two] one percent of the total number of votes cast in
4 the state.

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

9 E. Nominating petitions for an independent
10 candidate for a member of the legislature, district judge,
11 district attorney or county office shall be signed by a number
12 of voters equal to at least [two] one percent of the total
13 number of votes cast in the district, division or county, as
14 the case may be; provided that for the public education
15 commission, nominating petitions shall be signed by at least
16 two-thirds of the number of signatures that would otherwise be
17 required, and for a judicial office, nominating petitions shall
18 be signed by at least two-thirds of the number of signatures
19 that would otherwise be required.

20 F. When a vacancy for any office occurs on the
21 general election ballot pursuant to Section 1-8-7 or 1-8-8 NMSA
22 1978 in which all political parties may name a general election
23 candidate or when a vacancy occurs in the office of United
24 States representative pursuant to Section 1-15-18.1 NMSA 1978,
25 an independent candidate may file a declaration of candidacy on

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1 or by the same deadline applicable to the political parties.
2 The nominating petitions for an independent candidate in such
3 circumstances shall be signed by the number of voters provided
4 in this section, unless there are fewer than:

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

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

17 [G. A voter shall not sign a petition for an
18 independent candidate as provided in this section if the voter
19 has signed a petition for another independent candidate for the
20 same office.]"

21 SECTION 6. Section 1-8-65 NMSA 1978 (being Laws 2014,
22 Chapter 40, Section 7 and Laws 2014, Chapter 81, Section 7) is
23 amended to read:

24 "1-8-65. MINOR POLITICAL PARTY CANDIDATES FOR GENERAL OR
25 UNITED STATES REPRESENTATIVE SPECIAL ELECTIONS--NOMINATING

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PETITION FORM. --

A. As used in Sections 1-8-2 through 1-8-4 NMSA 1978, "nominating petition" means the authorized form used for obtaining the required number of signatures of voters that is signed on behalf of the person wishing to become a minor political party candidate for a political office in a general or United States representative special election requiring a nominating petition.

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

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

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

I, the undersigned, a registered voter of New Mexico,
hereby nominate _____, who resides at
_____ in the county of _____, New
Mexico, for the _____ party nomination for the office
of _____ to be voted for at the general
election or United States representative special election to be

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1 held on _____, and I declare that I am a registered voter
2 of the area to be represented by the office for which the
3 person being nominated is a candidate. ~~I also declare that I~~
4 ~~have not signed, and will not sign, any nominating petition for~~
5 ~~more persons than the number of candidates necessary to fill~~
6 ~~such office at the next ensuing general election or at a United~~
7 ~~States representative special election.]~~ I understand that if
8 the candidate's political party does not qualify as a minor
9 political party, the candidate may run as an unaffiliated
10 independent candidate.

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

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

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

25 SECTION 7. Section 1-15A-6 NMSA 1978 (being Laws 1977,

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Chapter 230, Section 5) is amended to read:

"1-15A-6. NOMINATION BY PETITION.--No later than 5:00 p.m. on the thirtieth day following the nominations by committee, any person seeking the endorsement by the national political party for the office of president of the United States, or any group organized in this state on behalf of, and with the consent of, such person, may submit to the secretary of state a petition on a form prescribed and furnished by the secretary of state to have such candidate's name printed on the presidential primary ballot. The petition shall be signed by a number of registered voters in each of the congressional districts equal to not less than two percent of the total number of votes for president cast in each district at the last preceding presidential election. ~~Each signer of such petition shall sign but one such petition.~~ In verifying the petition, the secretary of state shall count each signature unless it is determined that the person signing is not a registered voter of this state ~~[has signed more than one petition]~~ or is not the person whose name appears on the nominating petition. If a person signing has signed one petition more than once, only one signature from that person shall count toward the total number of signatures required for that candidate for office."

SECTION 8. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2026.