

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

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 multicounty 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

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:

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

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

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

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

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

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

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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(usual (name printed (address as (city or  
signature) as registered) registered) zip code)

2. \_\_\_\_\_  
(usual (name printed (address as (city or  
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

1 petition.

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

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

11 "NOMINATING PETITION FOR INDEPENDENT CANDIDACY

12 I, the undersigned, a registered voter of New Mexico,  
13 hereby nominate \_\_\_\_\_, who resides at  
14 \_\_\_\_\_ in the county of \_\_\_\_\_, New  
15 Mexico, as an independent candidate for the office of  
16 \_\_\_\_\_, to be voted for at the general  
17 election, or United States representative special election to  
18 be held on \_\_\_\_\_,

19 (month) (day) (year)

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

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~~

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 ~~[6. 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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1 PETITION FORM.--

2 A. As used in Sections 1-8-2 through 1-8-4 NMSA  
3 1978, "nominating petition" means the authorized form used for  
4 obtaining the required number of signatures of voters that is  
5 signed on behalf of the person wishing to become a minor  
6 political party candidate for a political office in a general  
7 or United States representative special election requiring a  
8 nominating petition.

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

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

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

20 I, the undersigned, a registered voter of New Mexico,  
21 hereby nominate \_\_\_\_\_, who resides at  
22 \_\_\_\_\_ in the county of \_\_\_\_\_, New  
23 Mexico, for the \_\_\_\_\_ party nomination for the office  
24 of \_\_\_\_\_ to be voted for at the general  
25 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.