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HOUSE BILL 459

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Debbie A. Rodella

AN ACT

RELATING TO ELECTIONS; REQUIRING MINIMUM NUMBER OF DAYS DURING WHICH THE PUBLIC MAY INSPECT AN UPDATED ABSENTEE BALLOT REGISTER.

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

Section 1. Section 1-6-6 NMSA 1978 (being Laws 1969, Chapter 240, Section 132, as amended) is amended to read:

"1-6-6. ABSENTEE BALLOT REGISTER. --

A. For each election, the county clerk shall keep an "absentee ballot register" in which he shall enter:

- (1) the name and county address of each absentee ballot applicant;
- (2) the date and time of receipt of the application;
- (3) whether the application was accepted or

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1 rejected;

2 (4) the date of delivery or mailing of an  
3 absentee ballot to the applicant;

4 (5) the applicant's precinct;

5 (6) whether the applicant is a voter, a  
6 federal voter, a federal qualified elector or an overseas  
7 citizen voter; and

8 (7) the date and time the completed ballot  
9 was received from the applicant by the county clerk.

10 B. Within twenty-four hours after receipt of a  
11 voter's application for an absentee ballot, the county clerk  
12 shall mail either the ballot or notice of rejection.

13 C. The absentee ballot register is a public record  
14 open to public inspection in the county clerk's office during  
15 regular office hours. At a minimum, the county clerk shall  
16 have available for public inspection an updated absentee  
17 ballot register during regular business hours on Tuesdays,  
18 Wednesdays and Fridays.

19 D. The county clerk shall deliver to the absentee  
20 board on election day a complete list of all absentee ballot  
21 applicants with applicable information shown in the absentee  
22 ballot register for each applicant up to noon of the day  
23 preceding the election. The county clerk shall deliver a  
24 signature roster containing the same information as the lists  
25 to the absentee board.

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1           E. The county clerk shall transmit to the  
2 secretary of state and to the county chairman of each of the  
3 major political parties in the county a complete copy of  
4 entries made in the absentee ballot register. Such  
5 transmissions shall be made once each week beginning four  
6 weeks immediately prior to the election. A final copy shall  
7 be transmitted on the Friday immediately following the  
8 election. "

9           Section 2. Section 3-9-5 NMSA 1978 (being Laws 1973,  
10 Chapter 375, Section 6, as amended) is amended to read:

11           "3-9-5. ABSENTEE BALLOT REGISTER. --

12           A. For each election, the municipal clerk shall  
13 keep an "absentee ballot register" in which he shall enter:

- 14                   (1) in numerical sequence, the name and  
15 municipal address of each absentee ballot applicant;
- 16                   (2) the date and time of receipt of the  
17 application;
- 18                   (3) whether the application was accepted or  
19 rejected;
- 20                   (4) the date of hand delivery or mailing of  
21 an absentee ballot to the applicant, the method of delivery  
22 and, if mailed, the address to which the ballot was mailed;
- 23                   (5) the applicant's precinct;
- 24                   (6) whether the applicant is a voter, a  
25 federal voter or a federal qualified elector;

1 (7) affidavits of voters who did not receive  
2 absentee ballots; and

3 (8) the date and time the completed ballot  
4 was received from the applicant by the municipal clerk.

5 B. The absentee ballot register is a public record  
6 open to public inspection in the municipal clerk's office  
7 during regular office hours and shall be preserved for two  
8 years after the date of the election. At a minimum, the  
9 municipal clerk shall have available for public inspection an  
10 updated absentee ballot register during regular business hours  
11 on Tuesdays, Wednesdays and Fridays. "

1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
3  
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6 February 9, 1999  
7

8 Mr. Speaker:  
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10 Your VOTERS AND ELECTIONS COMMITTEE, to whom has  
11 been referred  
12

13 HOUSE BILL 459  
14

15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, amended as follows:

- 17 1. Page 1, line 11 strike "MINIMUM".  
18  
19 2. Page 2, line 15 strike "At a minimum, the" and insert  
20 in lieu thereof "The".  
21  
22 3. Page 2, line 17 strike "on Tuesdays" and insert in  
23 lieu thereof "Monday".  
24  
25 4. Page 2, line 18 strike "Wednesdays and Fridays" and  
insert in lieu thereof "through Friday".

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Page 6

5. Page 4, line 8 strike "At a minimum, the" and insert  
in lieu thereof "The".

6. Page 4, line 11 strike "Tuesdays, Wednesdays and  
Fridays" and insert in lieu thereof "Monday through Friday".,  
and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

\_\_\_\_\_  
Edward C. Sandoval, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

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FORTY-FOURTH LEGISLATURE  
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The roll call vote was 11 For 0 Against

Yes: 11

Excused: Coll, Madalena

Absent: None

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March 16, 1999

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Mr. President:

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Your RULES COMMITTEE, to whom has been referred

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HOUSE BILL 459, as amended

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has had it under consideration and reports same with  
recommendation that it DO PASS.

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Respectfully submitted,

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Gloria Howes, Co-Chair

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2

Adopted \_\_\_\_\_ Not

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Adopted \_\_\_\_\_

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(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

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The roll call vote was 5 For 0 Against

11

Yes: 5

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No: 0

13

Excused: Adair, Altamirano, Gorham

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Absent: None

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