

1 SENATE BILL 323  
2 44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999  
3 INTRODUCED BY  
4 Pauline B. Eisenstadt  
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9

10 AN ACT

11 RELATING TO ELECTIONS; PROVIDING THAT COUNTY CLERKS MAIL THE  
12 OFFICIAL APPLICATION FOR AN ABSENTEE BALLOT; PROHIBITING THE  
13 SOLICITATION OF ABSENTEE VOTING; PRESCRIBING A CRIMINAL  
14 PENALTY.  
15

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

17 Section 1. Section 1-6-4 NMSA 1978 (being Laws 1969,  
18 Chapter 240, Section 130, as amended) is amended to read:

19 "1-6-4. ABSENTEE BALLOT APPLICATION. --

20 A. Application by a federal qualified elector for  
21 an absentee ballot shall be made on the official postcard form  
22 prescribed or authorized by the federal government to the  
23 county clerk of the county of his residence.

24 B. Application [~~by a voter~~] for an absentee ballot  
25 shall be made only by a voter on a form prescribed, printed

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1 and furnished by the secretary of state to the county clerk of  
2 the county in which he resides. The form shall identify the  
3 applicant and contain information to establish his  
4 qualification for issuance of an absentee ballot under the  
5 Absent Voter Act; provided that on the application form for a  
6 general election ballot there shall be no box, space or place  
7 provided for designation of the voter's political party  
8 affiliation.

9 C. Each application for an absentee ballot shall  
10 be subscribed by the applicant.

11 D. The official application form for an absentee  
12 ballot shall be mailed only by the county clerk upon the  
13 request of the voter.

14 E. Political parties and candidates or any person  
15 working for or on behalf of either shall not solicit, by mail  
16 or phone, absentee voting.

17 F. Whoever violates the provisions of Subsection E  
18 of this section is guilty of a misdemeanor and shall be  
19 sentenced pursuant to the provisions of Section 31-19-1 NMSA  
20 1978. "

1 FORTY-FOURTH LEGISLATURE

SB 323/a

2 FIRST SESSION, 1999

6 February 11, 1999

8 Mr. President:

10 Your RULES COMMITTEE, to whom has been referred

12 SENATE BILL 323

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

18 1. On page 2, strike lines 14 through 19 in their entirety  
19 and strike line 20 through the period. ,

21 and thence referred to the PUBLIC AFFAIRS COMMITTEE.

24 Respectfully submitted,

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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Gloria Howes, Co-Chair

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

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Altamirano

Absent: None

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