

AN ACT

RELATING TO ELECTIONS; PROVIDING EMPLOYEES WITH TIME TO VOTE
IN TRIBAL OR PUEBLO ELECTIONS.

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

Section 1. Section 1-12-42 NMSA 1978 (being Laws 1969,
Chapter 240, Section 302) is amended to read:

"1-12-42. CONDUCT OF ELECTION--EMPLOYEES--TIME TO
VOTE. --

A. On election day a voter may absent himself
from employment in which he is engaged for two hours for the
purpose of voting between the time of opening and the time of
closing the polls. The voter shall not be liable to any
penalty for such absence; however, the employer may specify
the hours during this period in which the voter may be
absent.

B. The provisions of Subsection A of this section
do not apply to an employee whose work day begins more than
two hours subsequent to the time of opening the polls, or
ends more than three hours prior to the time of closing the
polls.

C. The provisions of Subsection A of this section
apply to elections of Indian nations, tribes or pueblos for a
voter who is enrolled as a member of the Indian nation, tribe
or pueblo and is qualified to vote in the election.

D. A person who refuses the right granted in this section to an employee is guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100). "

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