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**HOUSE BILL 711**

**46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003**

**INTRODUCED BY**

Kandy Cordova

**AN ACT**

RELATING TO ELECTIONS; ELIMINATING PROVISIONS FOR WRITE-IN  
CANDIDATES; AMENDING AND REPEALING SECTIONS OF THE NMSA 1978.

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

Section 1. Section 1-12-53 NMSA 1978 (being Laws 1977,  
Chapter 222, Section 56, as amended) is amended to read:

"1-12-53. **EMERGENCY SITUATIONS--VOTERS--EMERGENCY PAPER  
BALLOT--GENERAL ELECTION--MARKING.** --The voter in preparing an  
emergency paper ballot in a general election shall:

A. if he wishes to vote a straight party ticket,  
mark a cross (X) or a check (V) in the circle beneath the name  
of the party and his vote shall be considered as having been  
cast for every candidate named on the ticket of that party on  
the ballot, unless he also votes for one or more candidates in  
some other column [~~or for some person whose name is not printed~~

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 ~~on the ballot~~];

2 B. if he marks a cross (X) or a check (V) in any  
3 circle and also desires to vote for a candidate of another  
4 political party (the ticket of which also appears on the  
5 ballot) [~~or for any person by write-in~~], mark a cross (X) or a  
6 check (V) in the box immediately to the right of the name of  
7 the candidate [~~or write in the name of the person~~] for whom he  
8 desires to vote in the blank provided therefor and mark a cross  
9 (X) or a check (V) in the box immediately to the right thereof,  
10 and his vote shall be considered as having been cast for every  
11 candidate of the political party below the party name where he  
12 marked his cross (X) or a check (V) in the circle, except for  
13 the candidates for whom he has otherwise voted; or

14 C. if he wishes, mark the ballot by omitting the  
15 cross (X) or check (V) in the circle and marking a cross (X) or  
16 a check (V) in the box immediately to the right of the name of  
17 every candidate [~~or person~~] for whom he desires to vote, and  
18 his vote shall be considered as having been cast only for the  
19 candidate [~~or person~~] opposite whose name the cross or check  
20 has been marked. "

21 Section 2. REPEAL. -- Sections 1-8-36.1, 1-12-19.1 and  
22 1-12-47 NMSA 1978 (being Laws 1981, Chapter 156, Sections 1 and  
23 2 and Laws 1977, Chapter 222, Section 50, as amended) are  
24 repealed.