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HOUSE BILL 17

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

INTRODUCED BY

Joe Thompson

AN ACT

RELATING TO ELECTIONS; REQUIRING VOTER IDENTIFICATION BY
SIGNATURE VERIFICATION; ESTABLISHING PROCEDURES FOR VOTING WHEN
DIGITAL FACSIMILE SIGNATURE VERIFICATION IS UNAVAILABLE; MAKING
AN APPROPRIATION.

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

Section 1. A new section of the Election Code, Section
1-12-8.1 NMSA 1978, is enacted to read:

"1-12-8.1. [NEW MATERIAL] VOTER IDENTIFICATION BY
SIGNATURE VERIFICATION--PROCEDURE--EXEMPTION--ALTERNATIVES.--

A. The signature rosters at each polling place and
each place where early in-person voting is allowed shall
contain digital facsimile signatures of each registered voter
on the roster.

B. A voter shall sign the signature roster before

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1 casting a ballot on election day or when voting early in person
2 pursuant to Section 1-6-5 NMSA 1978. If the actual signature
3 of a voter is significantly at variance from the digital
4 facsimile signature on the signature roster and a member of the
5 precinct board or, during early voting, an officer of the
6 county clerk's office present at the place of voting does not
7 have personal knowledge of the identity of the voter, the voter
8 shall vote in accordance with the procedures in Subsection F of
9 this section.

10 C. In determining the validity of a signature, the
11 precinct board or, during early voting, an officer of the
12 county clerk's office present at the place of voting may
13 consider factors such as the age or disability of the voter.

14 D. A voter qualifying for assistance pursuant to
15 Section 1-12-12 NMSA 1978 is exempt from the requirements of
16 Subsection B of this section.

17 E. All counties shall comply with the provisions of
18 this section on or before the 2004 primary election.

19 F. If a polling place, county clerk's office or
20 location where early in-person voting is allowed is unable to
21 provide for digital facsimile signature verification,
22 alternative identification shall be used. Before voting, the
23 voter shall present a New Mexico voter identification card; a
24 social security card; a valid New Mexico driver's license or
25 any other identification card issued by an agency of the state,

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1 one of its political subdivisions or the United States; or any
2 valid employee identification card containing a photograph of
3 the voter and issued by an employer of the voter in the
4 ordinary course of the employer's business. If a voter is
5 entitled to vote except that the voter is unable to present one
6 of these forms of identification, the voter shall be allowed to
7 vote after executing a statement swearing or affirming that the
8 voter is the named registered voter. "

9 Section 2. APPROPRIATION. -- Two hundred fifty thousand
10 dollars (\$250,000) is appropriated from the general fund to the
11 secretary of state for expenditure in fiscal year 2004 for
12 disbursement to counties for purchasing digital facsimile
13 signature printers. Any unexpended or unencumbered balance
14 remaining at the end of fiscal year 2004 shall revert to the
15 general fund.