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HOUSE BILL 27

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Justine Fox-Young

AN ACT

RELATING TO ELECTIONS; PROVIDING PROCEDURES FOR A RECOUNT,  
RECHECK OR CONTEST WHEN THERE IS AN UNDERVOTE OR WINNING MARGIN  
OF LESS THAN TEN THOUSAND VOTES.

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

Section 1. A new section of the Election Code is enacted  
to read:

"NEW MATERIAL RECOUNT DUE TO UNDERVOTE. --

A. If there is an undervote of two percent or more  
in an election or the winning margin of a candidate for  
governor or president is less than ten thousand votes, a person  
may contest the election or request that the secretary of state  
conduct a recheck or recount for that race. The requestor  
shall not be required to post a bond or incur expenses other  
than posting the deposit required by the Election Code. The

underscored material = new  
[bracketed material] = delete

1 requestor shall be allowed to have an independent expert  
2 examine or test the voting systems used in the election.

3 B. For the purposes of this section, "undervote"  
4 means the percentage of voters that voted in an election that  
5 did not cast a vote for any candidate on the ballot for the  
6 office of governor or president of the United States. "

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