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AN ACT

RELATING TO ELECTIONS; PROVIDING CANDIDATES WHO FAIL TO
RECEIVE PREPRIMARY CONVENTION DESIGNATION AN ALTERNATIVE
METHOD OF GAINING PRIMARY BALLOT ACCESS; DECLARING AN
EMERGENCY.

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

Section 1. Section 1-8-33 NMSA 1978 (being Laws 1973,
Chapter 228, Section 7, as amended) is amended to read:

"1-8-33. PRIMARY ELECTION LAW--NOMINATING PETITION--
NUMBER OF SIGNATURES REQUIRED.--

A. As used in this section, "total vote" means the
sum of all votes cast for all of the party's candidates for
governor at the last preceding primary election at which the
party's candidate for governor was nominated.

B. Candidates who seek preprimary convention
designation shall file nominating petitions at the time of
filing declarations of candidacy. Nominating petitions for
those candidates shall be signed by a number of voters equal
to at least two percent of the total vote of the candidate's
party in the state or congressional district, or the
following number of voters, whichever is greater: for
statewide offices, two hundred thirty voters; and for
congressional candidates, seventy-seven voters.

C. Nominating petitions for candidates for any

1 other office to be voted on at the primary election for which
2 nominating petitions are required shall be signed by a number
3 of voters equal to at least three percent of the total vote
4 of the candidate's party in the district or division, or the
5 following number of voters, whichever is greater: for
6 metropolitan court and magistrate courts, ten voters; for the
7 public regulation commission, fifty voters; for the public
8 education commission, twenty-five voters; for state
9 representative, ten voters; for state senator, seventeen
10 voters; and for district attorney and district judge, fifteen
11 voters.

12 D. A candidate who fails to receive the preprimary
13 convention designation that the candidate sought may collect
14 additional signatures to total at least four percent of the
15 total vote of the candidate's party in the state or
16 congressional district, whichever applies to the office the
17 candidate seeks, and file a new declaration of candidacy and
18 nominating petitions for the office for which the candidate
19 failed to receive a preprimary designation. The declaration
20 of candidacy and nominating petitions shall be filed with the
21 secretary of state either ten days following the date of the
22 preprimary convention at which the candidate failed to
23 receive the designation or on the date all declarations of
24 candidacy and nominating petitions are due pursuant to the
25 provisions of the Primary Election Law, whichever is later."

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Section 2. EMERGENCY.--It is necessary for the public
peace, health and safety that this act take effect
immediately. _____