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AN ACT

RELATING TO THE ELECTION CODE; TEMPORARILY FREEZING PRECINCT
BOUNDARIES FOR REDISTRICTING PURPOSES; PROVIDING FOR THE
ADJUSTMENT OF PRECINCT BOUNDARIES; PROVIDING FOR DELAYED
REPEAL; DECLARING AN EMERGENCY.

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

Section 1. SUSPENSION OF CERTAIN REQUIREMENTS--PRECINCT
BOUNDARY FREEZE--EXCEPTIONS.--

A. For the purpose of redistricting following the
federal decennial census, the authority of boards of county
commissioners to create new precincts or to combine precincts
and to alter their boundaries pursuant to Section 1-3-2,
1-3-3 or 4-38-21 NMSA 1978 is suspended from July 1, 2009
until January 31, 2012, and all precinct boundaries are
frozen until January 31, 2012, except those precinct
boundaries not in compliance with the provisions of the
Precinct Boundary Adjustment Act.

B. The secretary of state may authorize a board of
county commissioners to adjust precinct boundaries in
accordance with the Precinct Boundary Adjustment Act and
shall notify the legislative council service of any
adjustments.

Section 2. Section 1-3-12 NMSA 1978 (being Laws 1984
(1st S.S.), Chapter 3, Section 4, as amended) is amended to

1 read:

2 "1-3-12. ADJUSTING PRECINCT BOUNDARIES.--

3 A. Before each federal decennial census, every
4 precinct boundary shall be adjusted to coincide with a
5 feature or a boundary that is:

6 (1) shown on the standard base maps
7 developed pursuant to Subsection B of this section;

8 (2) a designated census block boundary on
9 the proposed federal PL 94-171 2010 census block maps; or

10 (3) approved by the secretary of state and
11 the bureau of the census.

12 B. Prior to commencement of the federal decennial
13 census, the secretary of state shall have prepared and shall
14 furnish to each county clerk standard base maps of the
15 county. The standard base map for urban and nonurban areas
16 of the county shall, as nearly as practical, show:

17 (1) all state and federal highways;

18 (2) all numbered and named county roads that
19 have been certified to the department of transportation;

20 (3) all military installation boundaries and
21 federal and state prison boundaries;

22 (4) all major railroad lines;

23 (5) federal, state and county political
24 boundaries, municipal boundaries and school district
25 boundaries;

1 (6) all streets within urban areas; and

2 (7) other major terrain features such as
3 flowing rivers and streams, arroyos, powerlines, pipelines,
4 roads, trails and ridgelines and other acceptable census
5 block boundaries.

6 C. The board of county commissioners and the
7 county clerks, upon receipt of the standard base maps from
8 the secretary of state, shall:

9 (1) adjust all precinct boundaries to
10 coincide with numbered or named street boundaries or suitable
11 visible terrain features shown on the standard base map;
12 provided that the precincts shall be composed of contiguous
13 and compact areas, and state, county, municipal, school
14 district and other political boundary lines shall serve as
15 precinct boundaries whenever possible; and

16 (2) upon the completion of the precinct
17 boundary adjustments as required in this section, indicate on
18 the standard base maps the boundaries for both urban and
19 nonurban precincts and, together with a written description
20 of the precincts, shall send an electronic copy in a format
21 approved by the secretary of state or four copies of the
22 precinct maps to the secretary of state for approval.

23 D. The precincts shown upon the standard base maps
24 submitted pursuant to the provisions of this section and as
25 revised and approved by the secretary of state pursuant to

1 the Precinct Boundary Adjustment Act shall become the
2 official precincts of each county for the 2011 redistricting.
3 For the 2012 and subsequent primary and general elections,
4 changes in precincts shall be made in accordance with the
5 provisions of Chapter 1, Article 3 NMSA 1978.

6 E. A local public body, when creating or redrawing
7 districts, shall not split a precinct into two or more
8 districts for any elected office unless necessary to comply
9 with federal law or to preserve communities of interest.

10 F. Precincts shall be designated solely by whole
11 numbers."

12 Section 3. Section 1-3-13 NMSA 1978 (being Laws 1983,
13 Chapter 223, Section 4, as amended) is amended to read:

14 "1-3-13. SECRETARY OF STATE POWERS AND DUTIES.--

15 A. The secretary of state shall review all county
16 precinct maps submitted pursuant to Section 1-3-12 NMSA 1978
17 for compliance with the provisions of the Precinct Boundary
18 Adjustment Act. Those county precinct maps determined not to
19 be in compliance with the precinct boundary criteria set
20 forth in Subsection A of Section 1-13-12 NMSA 1978 shall be
21 rejected and returned to the appropriate county clerk with a
22 written statement setting forth those instances in which the
23 map does not comply. The county clerk and the board of
24 county commissioners shall make the required adjustments and
25 resubmit one copy of the corrected county precinct map within

1 thirty days after receiving notice of noncompliance.

2 B. Prior to January 1, 2012, if any precinct
3 boundary adjustments are necessary to meet the legal and
4 constitutional requirements of redistricting, the secretary
5 of state shall notify any county of those boundary
6 adjustments that are necessary in that county. Upon review
7 and certification of the adjusted precinct boundaries, the
8 county shall submit the certified precinct changes to the
9 secretary of state for final approval of the precincts for
10 the 2012 primary and general elections."

11 Section 4. DELAYED REPEAL.--Section 1 of this act is
12 repealed effective January 31, 2012.

13 Section 5. EMERGENCY.--It is necessary for the public
14 peace, health and safety that this act take effect
15 immediately.

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