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AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH AND SAFETY; ALLOWING FOR
VOTER REGISTRATION ON ELECTION DAY AND DURING EARLY VOTING IN
STATEWIDE AND SPECIAL ELECTIONS; PROVIDING FOR AUTOMATIC
VOTER REGISTRATION AND UPDATES TO VOTER REGISTRATION.

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

SECTION 1. A new section of Chapter 1, Article 4 NMSA
1978 is enacted to read:

"REGISTRATION AT VOTING LOCATION PRIOR TO VOTING.--

A. Notwithstanding the provisions in Section 1-4-8
NMSA 1978 providing for the closing of registration prior to
an election, a qualified elector seeking to register to vote
or update an existing certificate of registration in the
state shall be allowed to do so at a voting location
immediately before voting in that election after signing an
affidavit under oath that the elector has not voted in the
election in this state or elsewhere, and as further provided
in this section.

B. During a statewide election, a qualified
elector may register to vote or update an existing
certificate of registration at the county clerk's office
during the regular hours and days of business beginning on
the twenty-eighth day preceding the election and from 10:00
a.m. to 6:00 p.m. on the Saturday immediately prior to the

1 date of the election; provided that if the county clerk
2 establishes an additional alternate voting location near the
3 clerk's office in lieu of voting at the office of the county
4 clerk, a qualified elector may register to vote or update an
5 existing certificate of registration at that location during
6 the regular hours and days of business beginning on the
7 twenty-eighth day preceding the election and during the hours
8 for voting at alternate voting locations commencing on the
9 third Saturday prior to the election through the Saturday
10 immediately prior to the election.

11 C. During a statewide election, a qualified
12 elector may register to vote or update an existing
13 certificate of registration at an alternate voting location
14 only if the county clerk has assigned a county clerk employee
15 to be the clerk's authorized deputy to serve as a
16 registration officer at the alternate voting location;
17 provided that ninety days before the election, the county
18 clerk shall post the location of each alternate voting
19 location where a qualified elector may register to vote or
20 update an existing certificate of registration immediately
21 before voting.

22 D. Beginning January 1, 2021 and upon the approval
23 of the voting system certification committee, during a
24 statewide election, a qualified elector may register to vote
25 or update an existing certificate of registration at an

1 election day voting location; provided that the secretary of
2 state shall establish procedures to ensure that a
3 registration officer has an opportunity to review the
4 information of a qualified elector who registers to vote or
5 updates an existing certificate of registration immediately
6 before the qualified elector votes on election day.

7 E. A voter shall not be allowed to change party
8 affiliation when updating an existing certificate of
9 registration or registering to vote at an early voting site
10 or polling place during a primary election.

11 F. During a special election, a qualified elector
12 may register to vote or update an existing certificate of
13 registration at the county clerk's office during the regular
14 hours and days of business beginning on the twenty-eighth day
15 preceding the election until the last regular business day
16 the week prior to the date of the election.

17 G. A qualified elector seeking to register to vote
18 or update an existing certificate of registration immediately
19 before voting shall provide:

20 (1) a New Mexico driver's license or New
21 Mexico identification card issued through the motor vehicle
22 division of the taxation and revenue department;

23 (2) any document that contains an address in
24 the county together with a photo identification card; or

25 (3) a current valid student photo

1 identification card from a post-secondary educational
2 institution in New Mexico accompanied by a current student
3 fee statement that contains the student's address in the
4 county.

5 H. If an early voting site or polling place does
6 not have real-time access to the statewide electronic voter
7 file, a voter desiring to update an existing certificate of
8 registration or to register to vote shall be issued a
9 provisional ballot.

10 I. No later than June 30, 2021 and upon the
11 approval of the voting system certification committee, the
12 secretary of state and the secretary of taxation and revenue
13 shall develop a procedure for importing the list of eligible
14 but unregistered persons with a driver's license or
15 state-issued identification card into the voter registration
16 electronic management system prior to an election to
17 facilitate processing a new voter registration pursuant to
18 this section."

19 SECTION 2. A new section of Chapter 1, Article 4 NMSA
20 1978 is enacted to read:

21 "AUTOMATIC VOTER REGISTRATION; DRIVER'S LICENSE AND
22 AGENCY REGISTRATION AND UPDATES TO REGISTRATION.--

23 A. In addition to the requirements of
24 Section 1-4-47 NMSA 1978:

25 (1) a qualified elector registering to vote

1 or updating an existing certificate of registration when
2 conducting an in-person transaction to apply for or renew a
3 driver's license or state-issued identification card shall
4 not be required to provide a second time any information that
5 duplicates information required in the driver's license
6 portion of the transaction;

7 (2) the address of a voter who provides a
8 different address when conducting an in-person transaction to
9 apply for or renew a driver's license or state-issued
10 identification card shall be updated on the voter's
11 certificate of registration unless the voter declines to do
12 so; and

13 (3) immediately at the conclusion of each
14 in-person transaction to apply for or renew a driver's
15 license or state-issued identification card, the person shall
16 receive written notification by the motor vehicle division of
17 the taxation and revenue department informing the person if
18 a voter registration transaction was processed, and if so,
19 providing information regarding any voter registration
20 transaction delivered to the county clerk by the motor
21 vehicle division as a result of that application for or
22 renewal of a driver's license or state-issued identification
23 card.

24 B. In addition to the requirements of
25 Section 1-4-48 NMSA 1978:

1 (1) the human services department shall
2 develop procedures to be approved by the secretary of state
3 to ensure that each benefit program administered by the
4 department appropriately ensures that qualified electors
5 receiving benefits are offered the opportunity to register to
6 vote or update an existing certificate of registration
7 without duplication of information contained by the
8 department or by the secretary of state. No later than the
9 last day of August of each calendar year, the human services
10 department shall issue an annual report detailing
11 implementation of the requirements of this paragraph. The
12 report shall be sent to the legislative council service, the
13 secretary of state and each county clerk; and

14 (2) no later than June 30, 2020 and upon the
15 approval of the voting system certification committee, the
16 secretary of state and the secretary of taxation and revenue
17 shall develop a procedure for using the address provided as a
18 taxpayer to update the registration address of a voter who
19 has been identified as having moved from the voter's precinct
20 of residence pursuant to Section 1-4-48 NMSA 1978. The
21 procedure shall include a requirement of notification to the
22 voter at least one hundred twenty days before an election of
23 the intent to update the registration address and the ability
24 for a voter to decline to permit the update to take effect.

25 C. If a person who is not a qualified elector

1 becomes registered to vote pursuant to this section, that
2 registration shall not be valid and the county clerk shall
3 remove the certificate of registration from the register of
4 voters."

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