

1 memorandum of agreement, the county clerk shall include an
2 expanded early voting site on the resolution adopted by the
3 board of county commissioners for that election."

4 SECTION 4. A new Section 1-21A-4 NMSA 1978 is enacted to
5 read:

6 "1-21A-4. [NEW MATERIAL] PRECINCT BOUNDARIES.--

7 A. When adjusting precinct boundaries for any group
8 of census blocks that are on Indian nation, tribal or pueblo
9 lands, the board of county commissioners and the county clerk
10 shall consult with each Indian nation, tribe or pueblo in the
11 county to provide and assess precinct boundaries of an Indian
12 nation, tribe or pueblo.

13 B. The board of county commissioners shall adjust
14 precinct boundaries to correspond to exterior boundaries or
15 exterior chapter boundaries of Indian nation, tribe or pueblo
16 in the county; provided such boundaries meet the requirements
17 of the Precinct Boundary Adjustment Act.

18 C. The secretary of state shall approve or reject
19 any precinct boundary adjustment that does not comply with the
20 provisions of this section and the Precinct Boundary Adjustment
21 Act or fails to show consultation with each Indian nation,
22 tribe or pueblo in the county.

23 D. Precinct adjustment boundaries with an Indian
24 nation, tribe or pueblo in the county shall be in writing based
25 on prior consultation.

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1 E. The county precinct adjustment contractor shall
2 provide to each Indian nation, tribe or pueblo in the county a
3 proposed map no later than ninety days to be considered or
4 adopted by county commission resolution.

5 F. Any precinct changes occurring on Indian nation,
6 tribe or pueblo lands of an Indian nation, tribe or pueblo in
7 the county is based upon certain circumstances; provided that
8 the county clerk shall inform the Indian nation, tribe or
9 pueblo in writing to explain such circumstances no later than
10 ninety days before county commission resolution adoption.

11 G. Upon consultation with an Indian nation, tribe
12 or pueblo, the county clerk shall submit to the secretary of
13 state a letter informing the accepted proposed precinct
14 boundary changes on Indian lands. The secretary of state shall
15 inform the county clerk and the Indian nation, tribe or pueblo
16 by letter to the county clerk and Indian nation, tribe or
17 pueblo of approved or disapproved precinct boundary changes
18 submitted."

19 SECTION 5. A new Section 1-21A-5 NMSA 1978 is enacted to
20 read:

21 "1-21A-5. [NEW MATERIAL] EXPANDED EARLY VOTING SITES AND
22 MOBILE ALTERNATE LOCATION.--

23 A. No later than the first Monday in September of
24 an odd-numbered year, the county clerk shall send a letter to
25 inform the Indian nation, tribe or pueblo to have a

1 consultation session to be considered for an expanded early
2 voting site by adoption of a county commission resolution on
3 Indian nation, tribe and pueblo lands. Upon consultation with
4 an Indian nation, tribe or pueblo for an expanded early voting
5 site on Indian nation, tribe or pueblo lands and upon a
6 consensus and a memorandum of agreement with an Indian nation,
7 tribe or pueblo based on the consultation, the county clerk
8 shall include on the county commission resolution an expanded
9 early voting site for each Indian nation, tribe or pueblo
10 within the county. Those counties having multiple federally
11 recognized tribes in the county shall convene a meeting with
12 these Indian nations, tribes or pueblos to consult on expanded
13 early voting sites and consent to days, tribal facilities,
14 times and Native American language interpreters for specific
15 language groups to meet federal voting rights requirements to
16 include minority language assistance.

17 B. Those counties having a letter of agreement with
18 the United States department of justice shall be required to
19 receive a written letter request for an expanded early voting
20 site. Upon receiving a letter of written request, the county
21 clerk shall consult with each Indian nation, tribe or pueblo in
22 the county on dates, times and facility to be used through a
23 memorandum of agreement between the Indian nation, tribe or
24 pueblo.

25 C. A memorandum of agreement for an expanded early

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1 voting site shall include the facility to be used for an
2 expanded early voting site and meet the requirements for an
3 expanded early voting site. The memorandum of agreement shall
4 serve as a permit to allow the county clerk to set up a
5 precinct board, voting tabulators, voting booths, internet
6 connectivity, adequate parking, accessibility for handicapped
7 voters and no obstruction to access to voting tabulator. The
8 memorandum of agreement for an expanded early voting site shall
9 serve as a permit to also allow non-tribal voters to cast a
10 ballot at said expanded early voting site; provided that the
11 Indian nation, tribe or pueblo has not declared a state of
12 emergency prohibiting such.

13 D. Mobile alternate voting sites may be considered
14 by the county clerk; provided that funds are available to
15 provide a mobile voting unit on Indian nation, tribe or pueblo
16 lands. Upon consultation with an Indian nation, tribe or
17 pueblo, the county clerk and board of county commissioners may
18 consider a modified mobile voting unit to operate on Indian
19 nation, tribe or pueblo lands based upon funds being
20 available."

21 SECTION 6. A new Section 1-21A-6 NMSA 1978 is enacted to
22 read:

23 "1-21A-6. [NEW MATERIAL] PROVIDING NATIVE AMERICAN
24 LANGUAGE BROADCAST SERVICES.--

25 A. No later than thirty-five days prior to an

1 election cycle, the county shall began broadcast services of a
2 notice of application for absentee mail-in voting, close of
3 voter registration, early in-person voting at the county
4 clerk's office, public notice of said election, location, times
5 and dates of expanded early voting sites and election day
6 convenience centers in the Native American language of local
7 jurisdiction, but not limited to the instructions for voting by
8 mail-in ballot, same day registration and last day of voting by
9 absentee in-person at the county clerk's office. Each county
10 shall hire a Native American language interpreter under
11 contract who speaks that language fluently. Native American
12 interpreters shall be trained by the county clerk for proper
13 materials to be broadcast. The secretary of state shall
14 reimburse the county clerk for Native American broadcast
15 services from the election fund. The secretary of state shall
16 broadcast the proclamation of a general election, regular local
17 election, special election, constitutional amendments and
18 general obligation bonds suitable for broadcast into the major
19 New Mexico tribal languages of northern Tiwa, Tewa, Keres,
20 southern Tiwa, Towa, Mescalero Apache, Jicarilla Apache, Fort
21 Sill Apache and the Navajo Nation.

22 B. The county clerk shall use social media on the
23 county's website to further enhance election announcements
24 through Native American languages within the county's
25 jurisdiction.

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1 C. The secretary of state shall reimburse the
2 county from the election fund for contractual Native American
3 broadcast services. Such broadcast services shall meet the
4 federal requirements of the federal Voting Rights Act of 1965
5 and its amendments thereafter and requirements of the
6 minority language assistance compliance."

7 SECTION 7. A new Section 1-21A-7 NMSA 1978 is enacted to
8 read:

9 "1-21A-7. [NEW MATERIAL] PROVIDING ELECTION
10 INFORMATION.--

11 A. The county clerk shall purchase advertisements
12 to inform tribal members registered to cast a ballot of times,
13 dates and locations of expanded early voting sites, voting
14 convenience centers, early in-person voting at the county
15 clerk's office, close of voter registration and same day
16 registration.

17 B. The county clerk shall purchase advertisements
18 in a newspaper of general circulation to cover a circulation
19 radius to include Indian lands and Native American-identified
20 precincts containing tribal members registered to cast a ballot
21 of times, dates and location of expanded early voting sites,
22 voting convenience centers, early in-person voting at the
23 county clerk's office, close of voter registration and same day
24 registration.

25 C. The county clerk shall purchase radio broadcast

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underscored material = new
~~[bracketed material] = delete~~

1 air time from a local radio station covering Indian lands in
2 the county. The radio broadcast shall be in the Native
3 American language spoken by the Indian nations, tribes or
4 pueblos in the county. The county shall hire Native American
5 interpreters from a tribe that speaks the language to be
6 broadcast under contract.

7 D. The county clerk shall produce printed materials
8 to distribute to Native American communities and precincts
9 having tribal members registered to cast a ballot. Such
10 printed materials shall be distributed and contain election
11 information on absentee voting procedure instruction, same-day
12 registration, expanded early voting sites, tribal facilities to
13 be used for voting places and voter registration closing.

14 E. The county clerk shall distribute the printed
15 materials to tribal administrative offices, Navajo chapter
16 facilities, Native American offices located on Indian nation,
17 tribe or pueblo lands, senior centers located on Indian nation,
18 tribe or pueblo lands, urban identified Indian centers and
19 Native American schools having Native youth populations.
20 Distribution shall be by county Native American contractual
21 liaisons who shall be trained by the county clerk on the
22 meaning of such materials to be distributed."

23 SECTION 8. A new Section 1-21A-8 NMSA 1978 is enacted to
24 read:

25 "1-21A-8. [NEW MATERIAL] ESTABLISHING PRECINCTS ON INDIAN

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1 NATION, TRIBE AND PUEBLOS LANDS.--

2 A. No precinct shall be created, diluted, removed
3 or consolidated on Indian nation, tribe or pueblo lands with
4 tribal members registered to vote without consultation with the
5 Indian nation, tribe or pueblo.

6 B. No precinct shall be created, diluted, removed
7 or consolidated on Indian nation, tribe or pueblos lands with
8 tribal members registered to vote without proper vetting based
9 on needs with the Indian nation, tribe or pueblo.

10 C. Upon consultation with an Indian nation, tribe
11 or pueblo and agreeing to a consensus with the Indian nation,
12 tribe or pueblo, the board of county commissioners shall
13 implement such by county resolution; provided that all
14 applicable statutes on creating such have been complied with
15 and meet the requirements.

16 D. The county clerk may use legal metes and bounds
17 of the tribal interior boundaries of the Indian nation, tribe
18 or pueblo land or reservation, as applicable. Such tribal
19 metes and bounds maps shall be provided by the Indian nation,
20 tribe or pueblo or through other mapping resources."

21 SECTION 9. A new Section 1-21A-9 NMSA 1978 is enacted to
22 read:

23 "1-21A-9. [NEW MATERIAL] ESTABLISHING THE NATIVE AMERICAN
24 VOTING AND EDUCATION TASK FORCE.--

25 A. The "Native American voting and education task

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1 force" is created to address the voting needs of Native
2 Americans of Indian nations, tribes and pueblos.

3 B. The Native American voting and education task
4 force shall study and provide recommendations on best practices
5 to educate, inform, make transparent and comply with enacted
6 and adopted state and federal election laws practical to Indian
7 nations, tribes and pueblos.

8 C. The Native American voting and education task
9 force shall consist of tribal officials in an official tribal
10 capacity from the twenty-three Indian nations, tribes and
11 pueblos, as follows:

- 12 (1) three members from the Navajo Nation;
13 (2) one member from the Navajo eastern agency;
14 (3) one member from the northern Navajo
15 agency;
16 (4) one member from the Navajo election
17 administration of the Navajo Nation;
18 (5) one member from the Mescalero Apache
19 Tribe;
20 (6) one member from the Jicarilla Apache
21 Nation;
22 (7) one member from the Fort Sill Apache
23 Tribe;
24 (8) three members from northern pueblos, each
25 from a different pueblo;

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1 (9) three members from the central Rio Grande
2 pueblos; and

3 (10) three members from the western pueblos.

4 D. A member of the task force shall receive an
5 honorarium of one hundred dollars (\$100) per meeting attended;
6 provided that a quorum is present."

7 SECTION 10. A new Section 1-21A-10 NMSA 1978 is enacted
8 to read:

9 "1-21A-10. [NEW MATERIAL] COMPLIANCE WITH FEDERAL VOTING
10 RIGHTS ACT OF 1965 AND NATIVE AMERICAN ELECTION STATUTORY
11 LAWS.--

12 A. The secretary of state and the county clerks
13 shall comply with the federal Voting Rights Act of 1965 and its
14 amendments thereof in providing said services under such
15 federal act.

16 B. A funded audit report shall be created and
17 expenses paid in full no later than ninety days after each
18 election cycle.

19 C. Such audit report and expense report shall be
20 made available to the Native American voting and education task
21 force for compliance purposes and to each Indian nation, tribe
22 or pueblo."

23 SECTION 11. A new Section 1-21A-11 NMSA 1978 is enacted
24 to read:

25 "1-21A-11. [NEW MATERIAL] VOTER REGISTRATION.--

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1 A. The Indian nations, tribes and pueblos and the
2 county clerks shall develop voter registration materials to
3 disseminate to tribal communities informing them how to
4 complete voter registration, mailed ballot applications and
5 same-day voter registration.

6 B. Each county shall hire members from local Indian
7 nations, tribes and pueblos to serve as temporary Native
8 American county voting liaisons for a general election, regular
9 local election, special election and other election in which
10 registered tribal members are qualified to vote.

11 C. The county clerk and the county Native American
12 voting rights liaisons shall train and provide materials
13 developed to distribute to local tribal communities."

14 SECTION 12. A new Section 1-21A-12 NMSA 1978 is enacted
15 to read:

16 "1-21A-12. [NEW MATERIAL] VOTER REMOVAL PROCEDURES.--

17 A. Upon each voting removal procedure taking place
18 in an odd-numbered year by the county board of registration to
19 remove voters registered in county precincts, a meeting with
20 the local Indian nations, tribes and pueblos shall be held by
21 the county clerk to inform affected Indian nations, tribes and
22 pueblos of voter removal in their precincts.

23 B. Prior to the deadline for the county board of
24 registration to remove registered voters within a tribal
25 community, the county clerk shall provide to the Indian

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1 nations, tribes and pueblos an alphabetical listing of current
2 registered voters to be removed within those precincts sixty
3 days before the deadline for the board of registration to meet
4 the statutory deadline."

5 SECTION 13. A new Section 1-21A-13 NMSA 1978 is enacted
6 to read:

7 "1-21A-13. [NEW MATERIAL] EMERGENCY VOTING SERVICES.--

8 A. A Native American subject to a homecare center,
9 by medical doctor orders, recovering centers and hospitals
10 shall be provided voter registration services, absentee ballot
11 applications and ballot delivery services; provided that the
12 person providing the voter services is a health care provider
13 employed by such a center and is employed at such facility.

14 B. A Native American registered to vote who is
15 homebound and is unable to access a voting tabulator may
16 request a relative to be designated to serve as a voting
17 coordinator to deliver and return an absentee ballot to the
18 county clerk's office."

19 SECTION 14. A new Section 1-21A-14 NMSA 1978 is enacted
20 to read:

21 "1-21A-14. [NEW MATERIAL] COMPLIANCE.--

22 A. The secretary of state shall enforce compliance
23 of the Native American Voting Rights Act and state and federal
24 election laws relevant to Indian nations, tribes and pueblos.
25 The secretary of state and the county clerks having Indian

1 nations, tribes and pueblos within their jurisdictions shall
2 comply with the provisions of the Native American Voting Rights
3 Act and provide adequate expenditures to comply with the Native
4 American Voting Rights Act.

5 B. Such compliance requirements shall be made
6 available to an Indian nation, tribe or pueblo upon a report
7 compiled by the office of the secretary of state."

8 SECTION 15. APPROPRIATION.--Two hundred thousand dollars
9 (\$200,000) is appropriated from the general fund to the
10 election fund for expenditure in fiscal year 2024 for the
11 secretary of state and county clerks to carry out the
12 provisions of the Native American Voting Rights Act. Any
13 unexpended and unencumbered balance remaining at the end of
14 fiscal year 2024 shall revert to the general fund.

15 SECTION 16. EMERGENCY.--It is necessary for the public
16 peace, health and safety that this act take effect immediately.

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