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HOUSE BILL 290

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

DEBBIE A. RODELLA

AN ACT

RELATING TO ELECTIONS; REQUIRING A SCHOOL BOARD CANDIDATE TO
PHYSICALLY RESIDE IN THE DISTRICT FOR WHICH HE IS A CANDIDATE;
AMENDING SECTIONS OF THE SCHOOL ELECTION LAW.

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

Section 1. Section 1-22-3 NMSA 1978 (being Laws 1985,
Chapter 168, Section 5) is amended to read:

"1-22-3. SCHOOL DISTRICT ELECTIONS-- QUALIFICATIONS OF
CANDIDATES. --

A. A school district election shall be held in each
school district to elect qualified persons to membership on a
local school board. No person shall become a candidate for
membership on a board unless his record of voter registration
shows that he is a qualified elector of the state, ~~and a~~
~~resident of the]~~ physically resides in the school district in

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1 which he is a candidate and physically resided in the district
2 on the date of the school board's proclamation calling a regular
3 school district election.

4 B. A regular school district election shall be held
5 in each school district on the first Tuesday in February of each
6 odd-numbered year.

7 C. A school district election held at any time other
8 than the date for the regular school district election shall be
9 a special school district election.

10 D. Except as otherwise provided in the School
11 Election Law, school district elections shall be called,
12 conducted and canvassed as provided in the Election Code. "

13 Section 2. Section 1-22-8 NMSA 1978 (being Laws 1985,
14 Chapter 168, Section 10, as amended by Laws 1993, Chapter 314,
15 Section 63 and also by Laws 1993, Chapter 316, Section 61) is
16 amended to read:

17 "1-22-8. DECLARATION OF CANDIDACY--SWORN STATEMENT OF
18 INTENT--FORM --In making a declaration of candidacy, the
19 candidate shall submit a sworn statement of intent in
20 substantially the following form:

21 "DECLARATION OF CANDIDACY--STATEMENT OF INTENT

22 I, _____, (candidate's name on certificate of
23 registration) being first duly sworn, say that I am a voter of
24 Precinct No. _____ of the county of _____,
25 State of New Mexico. I reside at _____

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1 and was a resident at that place on the date of the school
2 board's proclamation calling the election for which I am a
3 candidate:

4 I am a qualified elector of the State of New Mexico
5 residing within _____ school district;

6 I desire to become a candidate for the office of
7 _____, Position No. _____ at
8 the school district election to be held on the date set by law;

9 I will be eligible and legally qualified to hold this
10 office at the beginning of its term; and

11 I make the foregoing affidavit under oath, knowing that any
12 false statement herein constitutes a felony punishable under the
13 criminal laws of New Mexico.

14 _____
15 (Declarant)

16 _____
17 (Mailing Address)

18 _____
19 (Residence Address)

20 Subscribed and sworn to before me this _____ day of
21 _____, 19_____.

22 _____
23 (Notary Public)

24 My commission expires:
25 _____ " . "

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 6, 1997

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7 Mr. Speaker:

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9 Your VOTERS AND ELECTIONS COMMITTEE, to whom has
10 been referred

11
12 HOUSE BILL 290

13 has had it under consideration and reports same with
14 recommendation that it DO PASS, and thence referred to the
15 EDUCATION COMMITTEE.

16
17 Respectfully submitted,

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21 _____
22 Edward C. Sandoval, Chairman
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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Garcia, Lujan, Nicely, Sanchez, J. P. Taylor

Absent: None

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State of New Mexico House of Representatives

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

February 14, 1997

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

HOUSE BILL 290

**has had it under consideration and reports same with
recommendation that it DO PASS.**

Respectfully submitted,

Samuel F. Vigil, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Mi era, Nicely, Weeks, W. C. Williams, Vigil

Absent: None

M \H0290

Underscored material = new
[bracketed material] = delete