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HOUSE BILL 300

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Luciano "Lucky" Varela

AN ACT

RELATING TO SCHOOL DISTRICT FINANCING; REQUIRING CERTAIN
INFORMATION TO BE SPECIFIED IN A LOCAL SCHOOL BOARD
PROCLAMATION FOR A GENERAL OBLIGATION BOND ELECTION; LIMITING
THE USE OF BOND PROCEEDS.

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

SECTION 1. Section 1-22-4 NMSA 1978 (being Laws 1985,
Chapter 168, Section 6, as amended) is amended to read:

"1-22-4. REGULAR ELECTION--PROCLAMATION--PUBLICATION.--

A. The board shall by resolution issue a public
proclamation in Spanish and English calling a regular school
district election within the school district on the date
prescribed by the School Election Law. The proclamation shall
be filed by the superintendent with the county clerk of record
on the last Tuesday in November of the even-numbered year

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1 immediately preceding the date of the election.

2 B. The proclamation shall specify:

3 (1) the date when the election will be held;

4 (2) the positions on the board to be filled;

5 (3) the date on which declarations of
6 candidacy are to be filed;

7 (4) the date on which declarations of intent
8 to be a write-in candidate are to be filed;

9 (5) the questions to be submitted to the
10 voters, provided that, if a question includes whether to create
11 a debt by issuing general obligation bonds, the proclamation
12 shall also include the information required by Subsection A of
13 Section 22-18-2.1 NMSA 1978;

14 (6) the precincts in each county in which the
15 election is to be held and the location of each polling place;

16 (7) the hours each polling place will be open;
17 and

18 (8) the date and time of the closing of the
19 registration books by the county clerk of record as required by
20 law.

21 C. After filing the proclamation with the county
22 clerk of record and not less than fifty days before the date of
23 the election, the county clerk of record shall publish the
24 proclamation at least once in a newspaper of general
25 circulation within the school district. The publication of the

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1 proclamation shall conform to the requirements of the federal
2 Voting Rights Act of 1965, as amended."

3 SECTION 2. Section 1-22-5 NMSA 1978 (being Laws 1985,
4 Chapter 168, Section 7, as amended) is amended to read:

5 "1-22-5. SPECIAL ELECTION--PROCLAMATION--PUBLICATION.--

6 A. Whenever a special school district election is
7 to be called or is required by law, the board shall by
8 resolution issue a public proclamation in Spanish and English
9 calling the election. The proclamation shall forthwith be
10 filed by the superintendent with the county clerk of record.

11 B. The proclamation shall specify:

12 (1) the date on which the special election
13 will be held;

14 (2) the positions on the board to be filled;

15 (3) the date on which declarations of
16 candidacy are to be filed;

17 (4) the date on which declarations of intent
18 to be a write-in candidate are to be filed;

19 (5) the questions to be submitted to the
20 voters, provided that, if a question includes whether to create
21 a debt by issuing general obligation bonds, the proclamation
22 shall also include the information required by Subsection A of
23 Section 22-18-2.1 NMSA 1978;

24 (6) the precincts in each county in which the
25 election is to be held and the location of each polling place;

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1 (7) the hours each polling place will be open;
2 and

3 (8) the date and time of the closing of the
4 registration books by the county clerk of record as required by
5 law.

6 C. After filing the proclamation with the county
7 clerk of record and not less than fifty days before the date of
8 the election, the county clerk of record shall publish the
9 proclamation at least twice in a newspaper of general
10 circulation in the school district. The publication of the
11 proclamation shall conform to the requirements of the federal
12 Voting Rights Act of 1965, as amended."

13 SECTION 3. A new Section 22-18-2.1 NMSA 1978 is enacted
14 to read:

15 "22-18-2.1. [NEW MATERIAL] PROCLAMATION FOR GENERAL
16 OBLIGATION BOND ELECTION--CONTENTS--USE OF BOND PROCEEDS.--

17 A. A proclamation for a regular or special election
18 at which a general obligation bond issue will be decided shall:

19 (1) specifically list each project that will
20 be funded with the bond proceeds;

21 (2) include only projects that reflect the
22 school district's needs as shown by the facility assessment
23 database maintained by the public school facilities authority;

24 (3) state the amount of bond proceeds that are
25 allocated to each project;

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