

1 HOUSE BILL 352

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Rick Little

5
6
7
8
9
10 AN ACT

11 RELATING TO ELECTIONS; SHORTENING THE PERIOD FOR EARLY VOTING.

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

14 SECTION 1. Section 1-6-5.7 NMSA 1978 (being Laws 2005,
15 Chapter 270, Section 40, as amended) is amended to read:

16 "1-6-5.7. EARLY VOTING--USE OF ABSENTEE VOTING
17 PROCEDURES--ALTERNATE VOTING LOCATIONS.--

18 A. Commencing on the [~~third~~] second Saturday prior
19 to an election and ending on the Saturday immediately preceding
20 the election, an early voter may vote in person on a voting
21 system at an alternate voting location established by the
22 county clerk.

23 B. In class A counties with more than two hundred
24 thousand registered voters, the county clerk shall establish
25 not fewer than twelve alternate voting locations as a

.184274.1

underscored material = new
[bracketed material] = delete

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

1 convenience to the voters. For class A counties with two
2 hundred thousand registered voters or fewer, the county clerk
3 shall establish not fewer than four alternate voting locations.
4 In non-class A counties with more than ten thousand registered
5 voters, the county clerk shall establish at least one alternate
6 voting location. In non-class A counties with ten thousand
7 registered voters or fewer, early voting shall be conducted in
8 the office of the county clerk or at such alternate locations
9 as may be designated by the county clerk.

10 C. Not later than ninety days before each primary
11 and general election, the county clerk shall publicly fix the
12 hours of operation for alternate voting locations in the
13 county, which shall open no earlier than 7:00 a.m. and shall
14 close no later than 9:00 p.m. Within ninety days of a primary
15 or general election, a county clerk may modify the hours of
16 operation of alternate voting locations with the written
17 approval of the secretary of state. Alternate voting locations
18 shall be open each day of early voting for at least eight
19 consecutive hours. Alternate voting locations may be closed
20 Sundays and Mondays during the early voting period.

21 D. Each alternate voting location shall comply with
22 the following provisions, unless the county clerk receives a
23 written waiver from the secretary of state specifying the
24 location and specific provision being waived:

25 (1) have ballots available for voters from

.184274.1

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

1 every precinct in the county;

2 (2) have at least one optical scan tabulator
3 programmed to read every ballot style in the county;

4 (3) have at least one voting system available
5 to assist disabled voters to cast and record their votes;

6 (4) have a broadband internet connection;

7 (5) have sufficient spaces for at least five
8 voters to simultaneously and privately mark their ballots, with
9 at least one of those spaces wheelchair-accessible;

10 (6) have a secure area for storage of ballots
11 or storage of a ballot on demand printing system; and

12 (7) be in a location that is accessible and
13 compliant with the requirements of the federal Americans with
14 Disabilities Act of 1990.

15 E. When voting early, the voter shall provide the
16 required voter identification to the county clerk or the
17 clerk's authorized representative. If the voter does not
18 provide the required voter identification, the voter shall be
19 allowed to vote on a provisional ballot. If the voter provides
20 the required identification, the voter shall be allowed to vote
21 after subscribing an application to vote in accordance with
22 secretary of state rules. The county clerk or the clerk's
23 authorized representative shall make an appropriate designation
24 on the signature roster next to the voter's name indicating
25 that the voter has voted early."

.184274.1

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2011.