



The Legislature
of the
State of New Mexico

49th Legislature, 2nd Session

LAWS 2010

CHAPTER 90

HOUSE BILL 127

Introduced by

REPRESENTATIVE JEFF STEINBORN

REPRESENTATIVE BEN LUJAN
REPRESENTATIVE ELIAS BARELA
REPRESENTATIVE MIMI STEWART
REPRESENTATIVE KAREN E. GIANNINI
REPRESENTATIVE JAMES ROGER MADALENA
REPRESENTATIVE JACK E. THOMAS
REPRESENTATIVE NATHAN P. COTE
REPRESENTATIVE JOSÉ CAMPOS
REPRESENTATIVE MIGUEL P. GARCÍA



Chapter 90

AN ACT

RELATING TO ELECTIONS; ALLOWING THE APPOINTMENT OF QUALIFIED
MINORS TO PRECINCT BOARDS.

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

Section 1. Section 1-2-7 NMSA 1978 (being Laws 1969,
Chapter 270, Section 29, as amended) is amended to read:

"1-2-7. PRECINCT BOARD--QUALIFICATION OF MEMBERS--
QUALIFICATION OF PRESIDING JUDGES--QUALIFICATION OF MINORS.--

A. In order to qualify as a member of the precinct
board, a person shall:

(1) be a resident of the representative
district and county in which the precinct where the person is
a voter is located;

(2) be able to read and write;

(3) have the necessary capacity to carry out
a precinct board member's functions with acceptable skill and
dispatch; and

(4) execute the precinct board member's oath
of office.

B. Before serving as a presiding judge of a
precinct board, a person shall receive training in the duties
of that position and be certified for the position by the
county clerk.

C. No person shall be qualified for appointment or

1 service on a precinct board:

2 (1) who is a candidate for any federal,
3 state, district or county office;

4 (2) who is a spouse, parent, child, brother
5 or sister of any candidate to be voted for at the election; or

6 (3) who is a sheriff, deputy sheriff,
7 marshal, deputy marshal or state or municipal police officer.

8 D. A county clerk may appoint not more than two
9 minors to serve on a precinct board under the direct
10 supervision of the presiding judge of a precinct. A minor
11 appointed by the county clerk shall:

12 (1) meet the qualifications set forth in
13 Subsection A of this section, except the minor need not be
14 eligible to vote;

15 (2) be sixteen or seventeen years of age at
16 the time of the election in which the minor is serving as a
17 member of a precinct board;

18 (3) be a citizen at the time of the election
19 for which the minor will be serving as a member of a precinct
20 board;

21 (4) have the approval of the minor's parent
22 or legal guardian, unless emancipated;

23 (5) attend at least one school of
24 instruction in accordance with the provisions of Section

25 1-2-17 NMSA 1978; and

1 (6) be appointed to the board of the
2 precinct in which the minor's parent or legal guardian
3 resides, unless the county clerk determines there is a
4 shortage or absence of precinct board members in certain
5 precincts in accordance with the provisions of Section 1-2-11
6 NMSA 1978.

7 E. A minor appointed to a precinct board shall not
8 serve as the presiding judge or as an election judge."

9 Section 2. Section 1-2-10 NMSA 1978 (being Laws 1975,
10 Chapter 255, Section 16) is amended to read:

11 "1-2-10. PRECINCT BOARD--APPOINTMENT BY COUNTY CLERK.--
12 The county clerk shall appoint the precinct board for each
13 precinct in the following order:

14 A. from the list submitted by the major party
15 county chairs in the order stated thereon;

16 B. from the list of minors who qualify to be
17 precinct board members at the discretion of the county clerk;

18 C. from the standby list; and

19 D. from any other list of voters who have the same
20 qualifications and comply with the same requirements as
21 provided for precinct board members." _____

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BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES



STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES



DIANE D. DENISH, PRESIDENT
SENATE



LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 8th day of March, 2010



BILL RICHARDSON, GOVERNOR
STATE OF NEW MEXICO

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GOVERNOR

SECRETARY OF STATE
OFFICE OF

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