

2019 SPECIAL ELECTION LIST OF STATUTORY DEADLINES

This document is intended to be a summary of statutory deadlines for the convenience of special elections under the Local Election Act (LEA). Under 1-12-71 NMSA 1978, Special Elections can only take place from January 15, 2019 to August, 27, 2019. In all cases the relevant sections of the law should always be consulted to verify dates and for a full statement of election officers. Unless otherwise indicated, all references are to New Mexico Statutes Annotated, 1978 compilation.

BOARD FILES SPECIAL ELECTION PROCLAMATION WITH THE COUNTY CLERK FORTHWITH AFTER ADOPTION OF RESOLUTION

SPECIAL ELECTION PROCLAMATION

A. Whenever a local government special election is to be called or is required by law, the governing body shall by resolution issue a public proclamation calling the election. The proclamation shall specify: (1) the date on which the special election will be held; (2) the purpose for which the special election is called; (3) the text of any questions to be voted on; and (4) the date and time of closing the registration books by the county clerk as required by law.

1-24-2(A), NMSA 1978

COUNTY CLERK PUBLISHES SPECIAL ELECTION PROCLAMATION IN ENGLISH AND SPANISH

After filing with the county clerk the proclamation issued pursuant to Subsection A of this section, and beginning not less than sixty-three (63) days before the date of the election, the county clerk shall publish the proclamation once (1) each week for two (2) consecutive weeks in the newspaper of general circulation within the boundaries of the local government or special district.

1-24-2(B), NMSA 1978

BALLOTS FOR FEDERAL QUALIFIED ELECTORS

The county clerk shall have access to sufficient ballots to send to federal qualified electors not later than the last business day before the forty-fifth (45) day prior to an election.

1-6B-7 (A), NMSA 1978

<p>VOTER REGISTRATION CLOSES FOR THE SPECIAL ELECTION</p> <p>The county clerk shall receive certificates of registration at all times during normal working hours, except that the clerk shall close registration at the end of the twenty-eighth (28) day immediately preceding the municipal or school election and is opened again on the Monday following the election.</p>	<p>1-4-8(C), NMSA 1978</p>
<p>BALLOTS TO BE MAILED TO VOTERS OF JURISDICTION</p> <p>Upon the calling of an election by a mailed ballot, the county clerk shall send each voter of the relevant jurisdiction an absentee ballot along with a statement that there will be no polling place for the election. The voter shall not be required to file an application for the absentee ballot. The ballot shall be mailed to each voter on the twenty-eighth (28) day before the election or as soon as practicable thereafter. The return envelope for the ballot shall be postage-paid.</p>	<p>1-24-3(A)(B)(C) NMSA 1978</p>
<p>PREPARATION OF ELECTRONIC VOTING MACHINES</p> <p>Beginning ten days before an electronic voting machine is issued for absentee voting, the county clerk may begin to prepare, inspect and seal the voting machine in accordance with Section 1-11-6 NMSA 1978.</p>	<p>1-6-9.2 NMSA 1978</p>
<p>DELIVERY OF BALLOTS TO ABSENT VOTER PRECINCTS</p> <p>Beginning on the Thursday immediately preceding election day, the county clerk may deliver to the special deputy county clerk for delivery to the absent voter precinct board the absentee ballots received prior to the delivery day. The special deputy county clerk shall issue a receipt for all ballots delivered for the county clerk and shall observe the listing of the names on the official mailing envelopes in the signature rosters. The special deputy county clerk shall then obtain a receipt executed by the presiding judge and each election judge and shall return the receipt to the county clerk for filing. The receipts shall specify the number of envelopes received by the special deputy county clerk from the county clerk for the absent voter precinct and the number of envelopes received by the absent voter precinct board from the special deputy county clerk.</p>	<p>1-6-11 NMSA 1978</p> <p>1-12-71 NMSA 1978</p>
<p>ELECTION DAY</p> <p>Beginning ten days before an electronic voting machine is issued for absentee voting, the county clerk may begin to prepare, inspect and seal the voting machine in accordance with Section 1-11-6 NMSA 1978.</p>	
<p>CANVASSING BOARD MEETS</p> <p>Within ten (10) days after the date of the election, the canvassing board shall meet and shall: 1. Canvass the returns in the same manner as county election returns are canvassed; and 2. Issue a certificate of canvass of the results of the election and send one of the certified results to: (a) each local governing body receiving votes in the county; (b) the secretary of state; (c) the county clerk; and (d) the state canvassing board, if the results are for candidates or ballot questions voted on by the voters of more than one county.</p>	<p>1-22-15(B), NMSA 1978</p>

SECRETARY OF STATE SHALL ISSUE CERTIFICATE OF ELECTION AND SHALL CERTIFY THE PASSAGE OR DEFEAT OF EACH BALLOT QUESTION

1-22-15(F), NMSA 1978

Except in the case of a top-two runoff election, on the twenty-first (21) day following the election, the secretary of state shall issue a certificate of election or nomination to each candidate who received the most votes for each position on the ballot and shall certify the passage or defeat of each ballot question.