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Secretary of State Toulouse Oliver Adopts Changes to Two Administrative Rules

Adopted Changes Update Political Party Ballot Order Rule, Repeal Obsolete Emergency Voting Rule

SANTA FE – Today, New Mexico Secretary of State Maggie Toulouse Oliver adopted changes she had proposed to two existing administrative rules. The rule regarding the order in which political parties appear on General Election ballots was amended to adjust the ballot drawing timeframe to comply with recent statutory changes and outlines procedures to include both major and minor political parties into one drawing. The Secretary also repealed an outdated emergency voting rule for ill voters that was rendered obsolete in 2017 because of new legislation signed into law. The adopted changes will take effect on August 28, 2018.

“It’s important that New Mexico voters have equal access to the ballot and that our elections are fair and secure,” said Secretary Toulouse Oliver. “The changes that I adopted today make improvements to existing rules and provide equality to both major and minor political parties on the General Election ballot.”

Under state law, the order in which political parties appear on the ballot is determined through a drawing of lots. The changes to the rule regarding party position on the General Election ballot that were adopted today establish the last Friday in August as the date of the drawing of lots. Previously, the drawing by political parties was held on the first Wednesday of September. Recent legislation moved the deadline for county clerks to provide final ballot content to the state’s printer from 56 days to 63 days prior to Election Day, meaning the ballot order drawing would have occurred after the deadline for the ballots to be ready. Secretary Toulouse Oliver’s adopted changes ensure that the ballot order is finalized before the printer deadline passes.

Secretary Toulouse Oliver’s changes to the administrative rule on political party ballot order also now allows qualified minor parties to participate in the same drawing as qualified major parties, ensuring that all qualified parties have the same opportunity to appear at the top of the ballot.

Secretary Toulouse Oliver today also repealed an existing rule regarding how county clerks handle ballots that were issued in emergency voting situations when a voter was ill or otherwise confined to a hospital. The rule, which took effect in 1997, provided an option to voters who were too ill to physically cast their ballot at a voting location to request that an alternative ballot be delivered to them ensuring that they could still vote. Following the 2017 legislative session, these emergency voting procedures were codified into state law. As a

result, the previous administrative rule on emergency voting procedures is now duplicative and obsolete.

The Secretary of State held a public hearing on the proposed changes that were adopted today at the State Capitol Building on Friday August 10. Additionally, Secretary Toulouse Oliver accepted official written comments on the proposed changes from Tuesday, July 10, until Thursday, August 9, to give members of the public an opportunity to weigh in on the proposals.

Learn more about the Party Position on General Election Ballot changes [here](#).

Learn more about the Repeal of the Use of Alternative Ballots for Emergency Voting Purposes rule [here](#).

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