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HOUSE BILL 139

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

William "Bill" R. Rehm

AN ACT

RELATING TO ELECTIONS; CREATING THE VOTER EDUCATION AND
ELECTIONS TASK FORCE; DIRECTING THE VOTER EDUCATION AND
ELECTIONS TASK FORCE TO STUDY, PROVIDE RECOMMENDATIONS AND
PROPOSE LEGISLATION TO IMPLEMENT BEST PRACTICES TO EDUCATE
VOTERS AND ENSURE THE ACCURACY AND INTEGRITY OF ELECTIONS
PROCESSES IN NEW MEXICO; DECLARING AN EMERGENCY.

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

SECTION 1. TEMPORARY PROVISION--VOTER EDUCATION AND
ELECTIONS TASK FORCE--CREATED--DUTIES--REPORTING.--

A. The "voter education and elections task force"
is created to study and provide recommendations on best
practices to educate the voters of New Mexico on electoral
procedures, voter registration and election safeguards. The
voter education and elections task force shall evaluate

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1 opportunities for improvements to the electoral process to
2 maximize voter accessibility and accurate voter rolls while
3 continuing to maintain efficient and secure elections. The
4 task force shall function from the date of its appointment
5 until December 31, 2022. Staff and administrative support for
6 the task force shall be jointly coordinated and provided by the
7 secretary of state and the legislative council service.

8 B. By April 20, 2022, the members of the voter
9 education and elections task force shall be appointed as
10 follows:

11 (1) six members who are legislators, with the
12 two political parties with the most members in the state being
13 represented in equal numbers, appointed as follows:

14 (a) three members of the house of
15 representatives appointed by the speaker of the house of
16 representatives; and

17 (b) three members of the senate
18 appointed by the senate committees' committee or, if the
19 legislature is not in session at the time of appointment,
20 appointed by the president pro tempore of the senate in
21 consultation with and agreement of a majority of the members
22 who served on the senate committees' committee during the
23 second session of the fifty-fifth legislature;

24 (2) the secretary of state or the secretary's
25 designee;

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1 (3) the secretary of taxation and revenue, or
2 a designee of the secretary who has oversight or knowledge of
3 data collection and system operations within the taxation and
4 revenue department;

5 (4) four public members, with the two
6 political parties with the most members in the state being
7 represented in equal numbers, who have expertise in elections,
8 campaigns and private sector organizational structure and
9 operations and who reflect the ethnic, cultural and geographic
10 diversity of the state, two appointed by the speaker of the
11 house and two appointed by the president pro tempore of the
12 senate; and

13 (5) four county clerks, with the two political
14 parties with the most members in the state being represented in
15 equal numbers, appointed by the county clerks affiliate of the
16 New Mexico association of counties.

17 C. One representative each from the state registrar
18 and the administrative office of the courts and one
19 representative of the county assessors, appointed by the
20 director of the property tax division of the taxation and
21 revenue department, shall serve as advisory members of the
22 voter education and elections task force, and the task force
23 shall invite the United States postal service in New Mexico to
24 appoint a representative to participate as an advisory member
25 of the task force.

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1 D. Public members of the voter education and
2 elections task force are entitled to receive per diem and
3 mileage pursuant to the Per Diem and Mileage Act but shall
4 receive no other compensation, perquisite or allowance.

5 E. The voter education and elections task force
6 shall be co-chaired by the secretary of state, or the
7 secretary's designee, and one of the legislator-appointed
8 members from the minority political party, elected by the
9 membership of the task force to serve as co-chair. The task
10 force shall meet at the call of a co-chair or at the request of
11 one-third of its membership, and as necessary to carry out its
12 duties, but no less than once and no more than twice a month.
13 The first meeting of the task force shall be held no later than
14 May 1, 2022, and the first meeting of the task force shall be
15 an organizational meeting for the task force to develop a work
16 plan to carry out the task force's duties.

17 F. A vacancy on the voter education and elections
18 task force shall be filled by the original appointing
19 authority. A member who misses three meetings shall be removed
20 from the task force, and upon the request of the co-chairs, the
21 appointing authority shall replace the member who has failed to
22 attend three meetings.

23 G. A majority of the members constitutes a quorum
24 for the transaction of business. The support of a majority of
25 the members is required for adoption of any action; provided

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1 that the final report of the voter education and elections task
2 force, including its recommendations and proposed legislation,
3 shall have, at minimum, the support of a majority of the
4 legislative members.

5 H. The voter education and elections task force may
6 create subcommittees by a majority vote of the members. A
7 subcommittee shall be composed of at least one member from the
8 senate and one member from the house of representatives,
9 including at least one member of a minority political party
10 that is represented in either the senate or house of
11 representatives.

12 I. Meetings of the voter education and elections
13 task force shall be subject to the Open Meetings Act, and the
14 task force shall actively solicit public input.

15 J. The voter education and elections task force
16 shall develop policy recommendations and proposed legislation
17 to educate voters on electoral procedures, voter registration
18 and election safeguards. The task force shall also consider
19 improvements to the Election Code to make electoral processes
20 more efficient and accessible to all voters while continuing to
21 maintain election integrity. In developing its policy
22 recommendations and proposed legislation, the task force shall
23 review and consider:

24 (1) how to educate voters on why a voter's
25 certificate of registration must be kept up to date and,

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1 overall, how to effectively disseminate information and engage
2 the public in the electoral process;

3 (2) federal and state law, constitutional
4 provisions, rules and court decisions governing elections,
5 voter registration and the maintenance of voter rolls;

6 (3) the accessibility and ease of use of
7 currently used election systems, including the online voter
8 registration system, the vote tabulation systems, election
9 websites and other systems used by voters;

10 (4) use of voting best practices and
11 implementation of additional voting modernizations used in
12 other states, including automatic voter registration, same-day
13 registration, geo-enabling the voter rolls, absentee voting,
14 residency requirements and risk-limiting audits that may
15 promote improved voting accessibility and election security;

16 (5) best practices and standards for
17 maintaining accurate voter rolls, including how best to use the
18 data provided by the electronic registration information center
19 and other emerging technologies to continue to recruit eligible
20 but unregistered voters, ensure the ease by which voters cancel
21 registrations in one state and register in another and ensure
22 the integrity of the voter rolls;

23 (6) best practices and standards for the
24 prompt removal of deceased persons from the voter rolls;

25 (7) the impacts of issues relating to the

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1 United States postal service on ballot tracking, ballot
2 delivery and addressing, inconsistent or non-delivery to valid
3 addresses and how best to use intelligent mail bar codes, the
4 national change of address database and standard addressing to
5 improve election procedures; and

6 (8) how to improve data collection and sharing
7 between the taxation and revenue department and the secretary
8 of state and county clerks for the purposes of improving
9 election efficiencies and updating certificates of
10 registration.

11 K. No later than December 1, 2022, the voter
12 education and elections task force shall draft a report of its
13 findings and recommendations for consideration by the governor
14 and the legislature and shall present its report to the New
15 Mexico legislative council, the legislative finance committee,
16 the interim committee that studies courts, corrections and
17 justice issues and the county clerks affiliate of the New
18 Mexico association of counties. The task force shall provide a
19 final report, including any proposed legislation, to the
20 governor and all legislators by December 31, 2022.

21 L. The secretary of state, county clerks and other
22 relevant state agencies shall cooperate with the voter
23 education and elections task force and provide the task force
24 with information regarding databases, information technology
25 systems, cybersecurity, budget, staffing, organizational

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1 structure and other information as relevant to the duties of
2 the task force and as requested by the task force.

3 SECTION 2. EMERGENCY.--It is necessary for the public
4 peace, health and safety that this act take effect immediately.