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HOUSE BILL 86

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

William "Bill" R. Rehm

AN ACT

RELATING TO ELECTIONS; CREATING 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
opportunities for improvements to the electoral process to

1 maximize voter accessibility and accurate voter rolls while
2 continuing to maintain efficient and secure elections. The
3 task force shall function from the date of its appointment
4 until December 31, 2023. Staff and administrative support for
5 the task force shall be jointly coordinated and provided by the
6 secretary of state and the New Mexico legislative council.

7 B. By April 20, 2023, the members of the voter
8 education and elections task force shall be appointed as
9 follows:

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

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

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

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

25 (3) the secretary of taxation and revenue, or

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

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

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

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

25 D. Public members of the voter education and

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

4 E. The voter education and elections task force
5 shall be co-chaired by the secretary of state, or the
6 secretary's designee, and one of the legislator-appointed
7 members from the minority political party, elected by the
8 membership of the task force to serve as co-chair. The task
9 force shall meet at the call of a co-chair or at the request of
10 one-third of its membership, and as necessary to carry out its
11 duties, but no less than once and no more than twice a month.
12 The first meeting of the task force shall be held no later than
13 May 1, 2023, and the first meeting of the task force shall be
14 an organizational meeting for the task force to develop a work
15 plan to carry out the task force's duties.

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

22 G. A majority of the members constitutes a quorum
23 for the transaction of business. The support of a majority of
24 the members is required for adoption of any action; provided
25 that the final report of the voter education and elections task

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1 force, including its recommendations and proposed legislation,
2 shall have, at minimum, the support of a majority of the
3 legislative members.

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

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

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

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

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1 the public in the electoral process;

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

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

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

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

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

24 (7) the impacts of issues relating to the
25 United States postal service on ballot tracking, ballot

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

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

10 K. No later than December 1, 2023, the voter
11 education and elections task force shall draft a report of its
12 findings and recommendations for consideration by the governor
13 and the legislature and shall present its report to the New
14 Mexico legislative council, the legislative finance committee,
15 the interim committee that studies courts, corrections and
16 justice issues and the county clerks affiliate of the New
17 Mexico association of counties. The task force shall provide a
18 final report, including any proposed legislation, to the
19 governor and all legislators by December 31, 2023.

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

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the task force and as requested by the task force.

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