

THE NEW MEXICO ELECTION INTEGRITY PROJECT

(a task force sponsored by [The New Mexico Justice Project](#))

PRESENTS the CHANGES to the NEW MEXICO ELECTION CODE which were ADOPTED in 2019

[NOTE: This is the third in a series of articles addressing the changes made to the New Mexico Election Code during the 2019 legislative session.]

Article #3:

AFFIDAVIT of NO DOUBLE-VOTING by a SAME-DAY VOTER

The fourth amendment that the House Republicans put on the 2019 Same-Day Voter Registration bill (SB 672) requires that a voter who is registering to vote and then voting immediately (the essence of "same-day registration") be required to sign an affidavit, under oath, stating that the voter has not voted in the election in this state or elsewhere.

Under this provision, the voter must affirmatively swear that he or she is not voting twice (or more). This added amendment ties to section 1-20-8 of the Election Code, which makes double-voting a 4th-degree felony.

Without this provision, a voter could claim to simply be "confused" by the new process and attempt to vote twice in the same election.

We certainly hope the Secretary of State will work with the county clerks to adopt administrative rules to prevent double-voting, regardless of the manner in which a person may try to do so.

Meanwhile, it is important to ensure that the law contain a provision, requiring a document at the time of voting, that places the voter on notice that double-voting is illegal. The House Republicans succeeded in doing that.