

2020 MAR 26 PM 1:13

THE OFFICE OF THE NEW MEXICO SECRETARY OF STATE

IN RE:

RULEMAKING PROCEEDING FOR THE  
ADOPTION OF 1.10.35 NMAC – VOTER  
RECORDS SYSTEMS

**CONCISE EXPLANATORY STATEMENT**

The Office of the New Mexico Secretary of State (the “SOS”) hereby adopts amendments to the Voter Records Systems Rule that is codified in Part 1.10.35 NMAC.

(1) Statutory Authority for Rule Promulgation:

Section 1-2-1 NMSA 1978, authorizes the SOS to adopt and promulgate rules necessary to carry out the purposes of the Election Code.

(2) Effective Date of Rule:

Date of publication in the New Mexico Register.

(3) Date of Adoption of Rule:

March 26, 2020

(4) Reasons for Adopting Rule:

This rulemaking is necessary to align with current statute related to processing voter registration applications. The existing rule refers to an outdated process and technology that is no longer available. The requirements for the information required on a hard copy voter registration application were changed by House Bill 407 (2019) and must be amended in the rule. Additionally, same-day registration processing, now mandated in the law, must be added to the rule.

(5) Reasons for Changes from Published Rule:

The SOS incorporated changes to the rule to include the public comment that the definition of election should track the statutory definition and incorporate all local elections included in the Local Election Act.

(6) Reasons for Not Accepting Substantive Arguments from Public Comment:

The SOS received no substantive arguments against this rule.

The proposed rule is hereby adopted as of the date of this Concise Explanatory Statement.

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**IT IS SO ORDERED.**

3/26/2020  
DATE

ON BEHALF OF THE OFFICE OF THE  
NEW MEXICO SECRETARY OF STATE

  
Maggie Toulouse Oliver  
Secretary of State