



Office of the New Mexico
Secretary of State
Maggie Toulouse Oliver

2024 Candidate Information Guide

About This Guide

This publication has been prepared by the Bureau of Elections to serve as a reference for candidates seeking office in the 2024 Primary Election, as well as for anyone interested in the election process in New Mexico. It is recommended that all candidates, *including those with experience*, review this guide as the laws that govern this process continue to change.

Please note, this guide is intended as a reference. It is not intended as a legal authority on the elections process. This guide is not a substitute for statutory research or for the advice of an attorney.

Copies of the New Mexico Election Code and other applicable laws are available in the [2023 Election Handbook of the State of New Mexico](#), which is published on our website; users of this guide should read it in conjunction with the law referenced herein. The Election Code can be found on the following webpage: <https://www.sos.nm.gov/candidate-and-campaigns/how-to-become-a-candidate/nm-election-handbook/>.

This guide contains information for all candidate types. While independent and minor party candidates do not participate in the Primary Election, they may be required to circulate petitions and file declarations of candidacy shortly following the Primary Election (required forms will be available in March 2024). When the information provided in this guide for independent and minor party candidates differs from major party candidates, it is specified.

For candidates interested in public financing, please refer to the information on the Secretary of State's website: <https://www.sos.nm.gov/candidate-and-campaigns/2024-new-mexico-public-financing-information/>

Please contact the Bureau of Elections at (505) 827-3600, and select option 2, or email the office at elections@sos.nm.gov with additional questions.

2024 Candidate Information Guide

Revision History

Revision Number	Date	Updates
1.0	12/12/2023	Original Publication
2.0	1/15/2024	Changes in 11 th Judicial District to include Division 1 (San Juan County) and Division 2 (McKinley County). Changes included: District Attorney 4-year term, nominating petition calculations and other adjustments to reflect the January 29, 2024 Proclamation.
3.0	2/26/2024	Adjustment of Petition Calculations for District Attorney offices, NMSA 1978, Section 1-8-33
4.0	2/27/2024	Remove offices from guide: Probate Judge (Lincoln)
5.0	2/29/2024	Updated Eddy County Commission Districts to 2, 3 & 5; adding one district attorney to Dona Ana County; removing probate judge from Lincoln County.
6.0	3/7/2024	Update nominating petition calculations for Magistrate Judge (Dona County)

Contents

About This Guide	2
PRIMARY ELECTION – IMPORTANT DATES	6
GENERAL ELECTION – IMPORTANT DATES	14
OFFICES APPEARING ON THE 2024 PRIMARY ELECTION BALLOT	21
GENERAL ELIGIBILITY REQUIREMENTS FOR ALL OFFICES	23
SPECIFIC ELIGIBILITY REQUIREMENTS	26
NOMINATING PETITIONS	27
Offices which Require Nominating Petitions:	27
GENERAL INFORMATION	27
CIRCULATING NOMINATING PETITIONS	28
REQUIRED NUMBER OF PETITION SIGNATURES	30
SUBMISSION OF NOMINATING PETITIONS	34
FILING DAY: WHERE TO FILE	35
File with the Secretary of State	35
File with Appropriate County Clerk	36
WHEN TO FILE	38
WHAT TO FILE	39
FILING DAY TIPS	39
FILING FOR OFFICE AS A WRITE-IN CANDIDATE	39
NOTIFICATION OF BALLOT QUALIFICATION	40
BALLOT POSITION INFORMATION	40
CAMPAIGN FINANCE REQUIREMENTS	41
A note about getting started with your campaign:	41
CAMPAIGN REPORTS	41
Candidates; and Campaign Committees - Treasurer and Contribution Filing Information	42
Reports and Statements – Late Filing Penalty – Failure to File	43
FUNDRAISING NOTES	44
DISCLAIMERS IN ADVERTISEMENTS	45
PRIMARY ELECTION REPORTING DEADLINES	46
GENERAL ELECTION REPORTING DEADLINES	46
Candidate; Campaign Committees; and Public Officials - Final Report Filing:	47
ELECTION RESULTS AND CANVASS INFORMATION	47
ITEMS OF NOTE	48

Public Financing Information: 48
Third-Party Agents Collecting Applications..... 48
Mailed Ballot Delivery to County Clerk..... 49
Offenses and Penalties 49
PUBLIC OFFICIAL HOME ADDRESS CONFIDENTIALITY 50

PRIMARY ELECTION – IMPORTANT DATES

The New Mexico Secretary of State's (SOS) office is committed to providing the most helpful and practical information for candidates seeking public office. One of the first steps most candidates must take to get on the ballot is to obtain signatures on petition forms from registered voters in their district. Petition signatures must be recorded on the prescribed form published by the New Mexico Secretary of State's (SOS) Office (our Office). Those forms can be found on the SOS website: <https://www.sos.nm.gov/candidate-and-campaigns/how-to-become-a-candidate/>. Beginning in January of 2024, the SOS will implement a secure internet application that, in addition to the paper circulation process, will provide candidates with an option to gather petition signatures electronically.

October 1, 2023: PUBLIC FINANCING PERIOD BEGINS

Judicial candidates interested in public financing for the Primary and General elections may file their Declaration of Intent and may begin collecting qualifying contributions as of October 1, 2023. *For further information on the Voter Action Act and public financing please refer to Section 1-19A-3, NMSA 1978 and 1.10.27 NMAC.*

October 31, 2023: POST NOMINATING PETITIONS

The Secretary of State shall publish petition forms and required signature numbers for major party candidates. *Refer to Section 1-8-30 (D), NMSA 1978.*

October 10, 2023: SECOND BIENNIAL REPORT DUE

Reporting period is April 4, 2023, to October 2, 2023. *Refer to Section 1-19-29 (A), NMSA 1978.*

INFORMATION REGARDING CAMPAIGN REPORTS

All candidates must file the proper campaign finance reports on the dates established by law. Federal candidates will file reports through the Federal Elections Commission (FEC), and all other candidates have a filing obligation through the state. Excluding federal candidates, all other candidates vying for office during the 2024 election cycle will use the Campaign Finance Information System (CFIS) to file their campaign finance reports. All campaigns, excluding federal offices filing with the FEC, are required to register and file reports online at <https://login.cfis.sos.state.nm.us/>. Once a CFIS registration form has been approved by the SOS, the candidate will receive an email with instructions on how to set up a password and gain access to the system. **Please check junk and spam folders** if you haven't received the email within 24 hours of the time the registration is submitted. Additional resources to register and file reports can be found on the [Secretary of State's website](#).

January 1, 2024: PUBLIC FINANCING PERIOD BEGINS

Judicial candidates interested in public financing for just the General election may file their Declaration of Intent and may begin collecting qualifying contributions as of January 1, 2024. *For further information on the Voter Action Act and public financing please refer to Section 1-19A-3, NMSA 1978 and 1.10.27 NMAC.*

January 1, 2024: LEGISLATIVE SESSION FUNDRAISING PROHIBITION

- It is unlawful during the prohibited period for a state legislator, the attorney general, the secretary of state, the state treasurer, the commissioner of public lands or the state auditor or a candidate for these positions, or any agent on behalf of an elected official or candidate for these positions, to knowingly solicit a contribution governed by the Campaign Reporting Act.
- It is unlawful during the prohibited period for the governor or the lieutenant governor, or any agent on the governor's or the lieutenant governor's behalf, to knowingly solicit a contribution governed by the Campaign Reporting Act.
- As explained in NMSA 1978, Section 1-19-34.1, the Prohibited Period refers to the period of time before and during any session of the New Mexico State Legislature during which it is unlawful for certain elected officials, candidates for office, and their agents to knowingly solicit a contribution for any campaign or committee governed by the Campaign Reporting Act. The parties to whom the Prohibited Period applies are as follows:
 1. A state legislator, the attorney general, the secretary of state, the state treasurer, the commissioner of public lands or the state auditor.
 2. A candidate for state legislator, attorney general, secretary of state, state treasurer, commissioner of public lands or state auditor.
 3. Any agent on behalf of the attorney general, the secretary of state, the state treasurer, the commissioner of public lands or the state auditor.
 4. Any agent on behalf of a candidate for attorney general, the secretary of state, state treasurer, commissioner of public lands or state auditor.
- In a regular legislative session, the Prohibited Period begins on January 1 prior to the start of the session and lasts through the adjournment of the session. In a special legislative session, the Prohibited Period begins after the proclamation declaring the special session has been issued and lasts through the adjournment of the session.
- In the case of the following parties:
 1. The governor or the lieutenant governor.
 2. Any agent on the governor's or the lieutenant governor's behalf.The fundraising restrictions imposed by the Prohibited Period function are the same, but the duration of the Prohibited Period is longer.
- **Note:** In a **special legislative session**, the Prohibited Period begins after the proclamation declaring the special session has been issued and lasts through the adjournment of the session.

January 29, 2024: ELECTION PROCLAMATION

The secretary of state shall issue a public proclamation calling a general election to be held in each county and precinct of the state, on the date prescribed by Article 20, Section 6 of the constitution of New Mexico.

- **The general election proclamation shall also call for a primary election to nominate the general election candidates for each major political party, to be held in each county and precinct of the state, on the date prescribed in statute.**
- The proclamation shall be filed by the secretary of state in the office of the secretary of state on the last Monday in January of each even-numbered year. *Refer to Section 1-8-12, NMSA 1978.*

PREPRIMARY CONVENTIONS TO BE HELD BY MAJOR POLITICAL PARTIES

Major political parties may designate candidates for nomination to statewide office at their state convention. These conventions will take place prior to the filing date established for preprimary designated candidates (set to occur on February 6, 2024) and no later than the second Sunday in March, preceding the primary election. Delegates to the state convention shall be elected according to state party rules filed in the office of the secretary of state. The state convention shall take only one ballot upon candidates for each office to be filled. Every candidate receiving twenty percent (20%) or more of the votes of the duly elected delegates to the convention for the office to be voted upon at the ensuing primary election shall be certified to the secretary of state as a convention-designated nominee for that office by the political party. Certification shall take place no later than 5:00 p.m. on the first Tuesday succeeding the state convention. *Refer to Section 1-8-21.1, NMSA 1978*

MAJOR PARTY CONVENTION INFORMATION

- Democratic Party of New Mexico – <https://nmdemocrats.org/>
- Libertarian Party of New Mexico – <https://lpnm.us/>
- Republican Party of New Mexico – <https://newmexico.gop/>

February 6, 2024: FILING DAY FOR PREPRIMARY CONVENTION DESIGNATION CANDIDATES

Declarations of candidacy by preprimary convention designation for any statewide office or for the office of United States representative shall be filed with the secretary of state on the first Tuesday in February of each even-numbered year **between the hours of 9:00 a.m. and 5:00 p.m.** *Refer to Section 1-8-26 (A), NMSA 1978.*

- Forms can be found on the SOS website: <https://www.sos.nm.gov/candidate-and-campaigns/how-to-become-a-candidate/>.
- **Nominating Petition Signatures:** Candidates who seek preprimary convention designation shall file nominating petitions at the time of filing declarations of candidacy. Nominating petitions for those candidates shall be signed by a number of voters equal to at least two percent (2%) of the total vote of the candidate's party in the state or congressional district (based on the total votes cast for all of the party's candidates for governor, at the last preceding primary election in which the party's candidate for governor was nominated), or the following number of voters, whichever is greater: for statewide offices, two hundred and thirty (230) voters; and for congressional candidates, seventy-seven (77) voters. *Refer to Section 1-8-33 (A)(B), NMSA 1978.*
- **Financial Disclosures Statements (FDS):** A candidate for legislative or statewide office who has not already filed a financial disclosure statement with the secretary of state in the same calendar year in which they have declared their candidacy shall file a financial disclosure statement at the time of filing a declaration of candidacy. The FDS must be filed online, using the Campaign Finance Information System: <https://login.cfis.sos.state.nm.us/#/index>. Pursuant to Section 10-16A-3(H) NMSA 1978, a candidate for legislative or statewide offices who does not file a FDS before the date for qualification of the person as a candidate shall be disqualified by the proper filing officer as a candidate.

February 12, 2024: CERTIFICATION OF PREPRIMARY CANDIDATES

SOS shall certify to the chairman of each state political party the names of that party's candidates for federal or statewide office who have filed their declaration of candidacy. *Refer to Section 1-8-39.1,*

NMSA 1978.

February 16, 2024: DEADLINE TO CHALLENGE NOMINATING PETITIONS THAT WERE FILED ON PREPRIMARY CONVENTION FILING DAY (FEBRUARY 6, 2024)

Any voter filing any court action challenging a nominating petition provided for in the Primary Election Law shall do so within ten (10) days after the last day for filing the declaration of candidacy with which the nominating petition was filed. *Refer to Section 1-8-35, NMSA 1978.*

March 10, 2024: LAST DAY MAJOR PARTIES CAN HOLD PREPRIMARY CONVENTIONS

Major political parties may designate candidates for nomination to statewide office at their state convention. These conventions will take place prior to the filing date for preprimary designated candidates (which occurs on February 6, 2024), and no later than the second Sunday in March, preceding the primary election. *Refer to Section 1-8-21.1, NMSA 1978.*

March 12, 2024: FILING DAY FOR ALL OTHER OFFICES (NON-PREPRIMARY DESIGNATION CANDIDATES) – AND FIRST FILING OPPORTUNITY FOR CANDIDATES THAT FAILED TO RECEIVE PARTY DESIGNATION

- **Declarations of Candidacy for any other office** to be nominated in the primary election shall be filed with the county clerk in which the candidate resides (except for federal and statewide offices), **between the hours of 9:00 a.m. and 5:00 p.m.** *Refer to Section 1-8-26 (B), NMSA 1978.*
 - Nominating petition signatures for candidates for any other office to be voted on at the primary election shall file nominating petitions at the time of filing declarations of candidacy. Nominating petitions for those candidates shall be signed by a number of voters equal to at least the greater of:
 - State senator, three percent (3%) of the total vote of the candidate’s party in the district or seventeen (17) voters.
 - State representative, three percent (3%) of the total vote of the candidate’s party in the district or ten (10) voters.
 - District attorney and district judge, two percent (2%) of the total vote of the candidate’s party in the district or fifteen (15) voters.
 - Metropolitan judge, two percent (2%) of the total vote of the candidate’s party in the district or ten (10) votes.
 - Magistrate judge, two percent (2%) of the total vote of the candidate’s party in the district or ten (10) votes.
 - Public education commission, two percent (2%) of the total vote of the candidate’s party in the district or twenty-five (25) voters*Refer to Section 1-8-33 (C), NMSA 1978.*
- **Declarations of Candidacy and additional nominating petitions for candidates that failed to receive party designation** shall be filed with the secretary of state either ten (10) days following the date of the preprimary convention at which the candidate failed to receive the designation, or on the date all declarations of candidacy and nominating petitions are due pursuant to the provisions of the Primary Election Law, whichever is later. A candidate who fails to receive the preprimary convention designation that the candidate sought may collect additional signatures to total at least four percent (4%) of the total vote of the candidate’s party in the state. *Refer to Section 1-8-33 (D), NMSA 1978.*
- **Financial Disclosures Statements (FDS):** A candidate for legislative or statewide office who has

not already filed a financial disclosure statement with the secretary of state in the same calendar year in which they have declared their candidacy shall file a financial disclosure statement at the time of filing a declaration of candidacy. The FDS must be filed online, using the Campaign Finance Information System: <https://login.cfis.sos.state.nm.us/#/index>. Pursuant to Section 10-16A-3 (H) NMSA 1978, a candidate for legislative or statewide offices who does not file a FDS before the date for qualification of the person as a candidate shall be disqualified by the proper filing officer as a candidate.

March 19, 2024: NOTIFICATION BY FILING OFFICER (FOR THE MARCH 12TH FILING)

No name shall be placed on the ballot until the person has been notified in writing by the proper filing officer that the certificate of registration on file, the declaration of candidacy and the petition, if required, are in proper order and that the person, based on those documents, is qualified to be a candidate. The proper filing officer shall mail the notice no later than 5:00 p.m. on the Tuesday following the filing date. *Refer to Section 1-8-26 (D), NMSA 1978.*

March 19, 2024: FILING DAY FOR WRITE-IN CANDIDATES AND FINAL FILING OPPORTUNITY FOR PREPRIMARY CONVENTION CANDIDATES THAT FAILED TO RECEIVE PARTY DESIGNATION

- Write-in candidates are permitted in the primary election only for the offices of United States representative, members of the legislature, district judges, district attorneys, public education commission, magistrates and any office voted upon by all voters of the state. *Refer to Section 1-8-36.1 (A), NMSA 1978.*
- A person desiring to be a write-in candidate for one of the offices listed in Subsection A of 1-8-36.1, NMSA 1978 in the primary election, shall file with the proper filing officer a declaration of intent to be a write-in candidate, accompanied by a nominating petition containing the same number of signatures required of other candidates for major party nomination for the same office. **Such declaration of intent shall be filed between 9:00 a.m. and 5:00 p.m.** *Refer to Section 1-8-36.1 (C), NMSA 1978.*
- Certification of candidates that received party designation shall take place no later than 5:00 p.m. on the first Tuesday succeeding the state convention.
 - A candidate who fails to receive the preprimary convention designation that the candidate sought may collect additional signatures to total at least four percent (4%) of the total vote of the candidate's party in the state or congressional district, whichever applies to the office the candidate seeks, and file a new declaration of candidacy and nominating petitions for the office for which the candidate failed to receive a preprimary designation. **The declaration of candidacy and nominating petitions shall be filed with the secretary of state either ten (10) days following the date of the preprimary convention at which the candidate failed to receive the designation** or on the date all declarations of candidacy and nominating petitions are due, pursuant to the provisions of the Primary Election Law, whichever is later. *Refer to Section 1-8-33 (D), NMSA 1978.*

March 22, 2024: DEADLINE TO CHALLENGE NOMINATING PETITIONS FILED ON MARCH 12TH

Any voter filing any court action challenging a nominating petition provided for in the Primary Election Law shall do so within ten (10) days after the last day for filing the declaration of candidacy with which the nominating petition was filed. *Refer to Section 1-8-35, NMSA 1978.*

March 31, 2024: INDEPENDENT & MINOR PARTY CANDIDATE NOMINATING PETITIONS AVAILABLE FOR GENERAL ELECTION

The Secretary of State will publish petition forms and the required number of signatures for independent and minor party candidates, who may then begin circulating petitions. *Refer to Sections 1-8-50 (E) and 1-8-65 (E), NMSA 1978.*

April 2, 2024: LAST DAY TO WITHDRAW CANDIDACY AHEAD OF THE PRIMARY ELECTION

A candidate shall withdraw no later than the first Tuesday in April before that primary election by filing a signed and notarized statement of withdrawal with the proper filing officer. *Refer to Section 1-8-44, NMSA 1978.*

April 8, 2024: FIRST PRIMARY CAMPAIGN REPORT OR STATEMENT OF NO ACTIVITY DUE

In an election year, instead of the biannual reports, all reporting individuals (except for public officials who are not candidates in an election that year), shall file campaign reports containing all expenditures made and contributions received or, if applicable, statements of no activity. *Refer to Section 1-19-29 (B)(1), NMSA 1978.*

- **Any candidate who fails or refuses to file a campaign report** or statement of no activity or to pay a penalty imposed by the secretary of state (as required by the Campaign Reporting Act), shall not, in addition to any other penalties provided by law: (1) have the candidate's name printed upon the ballot if the violation occurs before and through the final date for the withdrawal of candidates; or (2) be issued a certificate of nomination or election, if the violation occurs after the final date for withdrawal of candidates or after the election, until the candidate satisfies all reporting requirements of the Campaign Reporting Act and pays all penalties owed. *Refer to Section 1-19-35 (F), NMSA 1978.*
- **Any candidate who loses an election and who failed or refused to file a report of expenditures and contributions**, or a statement of no activity, or to pay a penalty imposed by the secretary of state (as required by the Campaign Reporting Act) shall not be, in addition to any other penalties provided by law, permitted to file a declaration of candidacy or nominating petition for any future election until the candidate satisfies all reporting requirements of that act and pays all penalties owed. *Refer to Section 1-19-35 (G), NMSA 1978.*

April 20, 2024: TRANSMISSION OF UNVOTED MILITARY-OVERSEAS BALLOTS TO FEDERAL QUALIFIED ELECTORS

Not later than forty-five (45) days before an election, even if the forty-fifth (45) day before an election falls on a weekend or a holiday, the county clerk shall transmit a ballot and balloting materials to all federal qualified electors who by that date submit a valid military-overseas ballot application. *Refer to Section 1-6B-7 (A), NMSA 1978.*

April 23, 2024: VOTER NOTIFICATION

At least forty-two days prior to each statewide election, the secretary of state, on behalf of each county clerk, shall mail a voter notification of the election. *Refer to Section 1-11-4.1, NMSA 1978.*

May 7, 2024:

- **VOTER REGISTRATON BY MAIL, BY VOTER REGISTRATION AGENT, AND ONLINE CLOSES**
Refer to Sections 1-4-8 (A), and 1-4-5.7, NMSA 1978.
- **EARLY IN-PERSON VOTING BEGINS (OFFICES OF THE COUNTY CLERK)**

Voter registration is available prior to voting. Refer to Sections 1-4-5.7 and 1-6-5.7 (A), NMSA 1978.

- **COUNTY CLERKS BEGIN SENDING MAILED BALLOTS**

Refer to Section 1-6-5 (F), NMSA 1978¹.

May 13, 2024: SECOND PRIMARY CAMPAIGN REPORT OR STATEMENT OF NO ACTIVITY

No later than the second Monday in May, a report is due for all expenditures made, and contributions received on or before the first Monday in May and not previously reported. *Refer to Section 1-19-29 (B)(2), NMSA 1978.*

May 18, 2024: EXPANDED EARLY VOTING BEGINS (ALTERNATE SITES)

Commencing on the third Saturday prior to a statewide election and ending on the Saturday immediately prior to the date of the election, an early voter may vote in person on a voting system at alternate voting locations that may be established by the county clerk. *Refer to Section 1-6-5.7 (B), NMSA 1978.*

Information related to early voting sites and sample ballots will be available on the Secretary of State's website: <https://www.sos.state.nm.us/voting-and-elections/voter-information/>.

May 21, 2024: MAILED BALLOT APPLICATION DEADLINE (TIMELY RECEIVED)

The county clerk shall mark each completed application for a mailed ballot with the date and time of receipt in the clerk's office and enter the required information in the ballot register. The county clerk shall then determine if the applicant is a voter and if the voter is a uniformed service voter or an overseas voter. If the applicant is a uniformed-service voter or overseas voter, the application shall be processed pursuant to the UMOVA.

An application from a federally qualified elector who provides information permitting secured electronic delivery of the ballot is timely received by the county clerk no later than three (3) days prior to election day. An application from a federal qualified elector who does not provide information permitting secured electronic delivery of the ballot is timely if received by the county clerk by the deadline specified in the Absent Voter Act for receipt of mailed ballot applications. *Refer to Sections 1-6-5, and 1-6B-7 (D), NMSA 1978.*

May 30, 2024: THIRD PRIMARY CAMPAIGN REPORT OR STATEMENT OF NO ACTIVITY

No later than the Thursday before a primary election, a report of all expenditures made, and contributions received, that were not previously reported, must be filed by 5:00 p.m. on the Tuesday before the election. *Refer to Section 1-19-29 (B)(5), NMSA 1978.*

SUPPLEMENTAL REPORTS

¹ Absentee voting is primarily managed by the individual county clerks. Voters who wish to vote by mailed ballot must apply for a mailed ballot; beginning January 1, 2024, voters will have the option to request to be added to the voluntary permanent absentee voter list in their county. Applications are available from the county clerks and from the on-line application on our website at nmvote.org. Voters may apply for a mailed ballot at any time but should note that the county clerks have a strict timeline under which they may issue and accept them.

Any contribution or pledge to contribute that is received after 5:00 p.m. on the Tuesday before the election and that is for more than one thousand dollars (\$1,000) in a non-statewide election, or more than three thousand dollars (\$3,000) in a statewide election, shall be reported to the secretary of state either in a supplemental report on a prescribed form within twenty-four (24) hours of receipt, or in the report to be filed no later than the Thursday before a primary, general or statewide special election, except that any such contribution or pledge to contribute that is received after 5:00 p.m. on the Friday before the election may be reported by 12:00 p.m. (noon) on the Monday before the election. *Refer to Section 1-19-29 (B)(5), NMSA 1978.*

June 1, 2024: EARLY VOTING ENDS

Refer to Section 1-6-5.7 (B), NMSA 1978.

June 4, 2024: Primary Election Day

- **POLLS OPEN FROM 7:00 A.M. TO 7:00 P.M.**

Refer to Section 1-12-1, NMSA 1978.

- **MAILED BALLOTS DUE BY 7:00 P.M. IN THE OFFICE OF THE COUNTY CLERK**

A voter who requested and received a mailed ballot shall be allowed to deliver the official mailing envelope containing the voter's mailed ballot on Election Day to any polling location in the county in which the voter is registered if the voter presents the official mailing envelope to the presiding judge before the polls close on Election Day. *Refer to Sections 1-6-10, and 1-12-8.2 (A), NMSA 1978.*

June 25, 2024: CERTIFICATION OF ELECTION RESULTS (STATEWIDE)

The individual county canvassing boards must meet within six (6) days of the election to canvass the election results and no later than ten (10) days from the date of the election. A county canvassing board in a county with more than one hundred fifty thousand voters (150,000) shall meet to approve the report of the canvass of the returns and declare the results no sooner than six (6) days and no later than thirteen (13) days from the date of the election.

The state canvassing board shall also meet in the state capitol on the third Tuesday after each statewide election or special state election to approve the report of the canvass and declare the result of the vote on any constitutional amendment or any ballot question voted upon by the voters of more than one county. *Refer to Section 1-13-15, NMSA 1978.*

July 4, 2024: FOURTH PRIMARY CAMPAIGN REPORT OR STATEMENT OF NO ACTIVITY (PRIMARY CANDIDATES)

No later than the thirtieth (30) day after a primary election, a report by all reporting individuals, except those individuals that become candidates after the primary election, of all expenditures made and contributions received, that were not previously reported, on or before the twenty-fifth (25) day after the primary election. *Refer to Section 1-19-29 (B)(6), NMSA 1978.*

Candidates who are not moving on to the general election are encouraged to file a final report to inactivate their CFIS account indicating that:

- There are no outstanding campaign debts;

- All money has been expended in accordance with the provisions of Section 1-19-29.1 NMSA 1978; and
- The bank account(s) specific to the campaign have been closed.

July 5, 2024: CERTIFICATE OF NOMINATION

Upon approval of the report of the state canvass, but not sooner than the thirty-first (31) day after any primary or general election, the secretary of state shall issue to those candidates entitled by law the appropriate certificate of election or, in the case of a primary election, a certificate of nomination. *Refer to Section 1-13-16 (B), NMSA 1978.*

GENERAL ELECTION – IMPORTANT DATES

March 31, 2024: INDEPENDENT & MINOR PARTY CANDIDATE NOMINATING PETITIONS AVAILABLE

The Secretary of State publishes petition forms and the required number of signatures for independent and minor party candidates, who may then begin circulating petitions. *Refer to Section 1-8-50 (E), NMSA 1978.*

NEW MEXICO MINOR PARTY INFORMATION

- Green Party of New Mexico: <https://greenpartyofnm.org/>

June 27, 2024: INDEPENDENT CANDIDATE, MINOR PARTY CANDIDATE, JUDICIAL RETENTION CANDIDATE AND GENERAL ELECTION WRITE-IN CANDIDATE

- **Independent candidates** shall file declarations of candidacy and nominating petitions, if required, with the proper filing officer **between 9:00 a.m. and 5:00 p.m.** on the twenty-third (23) day following the primary election of each even-numbered year. *Refer to Section 1-8-52 (A), NMSA 1978.*
- **Minor Party candidates** shall file declarations of candidacy and nominating petitions, if required, with the proper filing officer **between 9:00 a.m. and 5:00 p.m.** on the twenty-third (23) day following the primary election. *Refer to Sections 1-8-2 and 1-8-3, NMSA 1978.*
- **Write-in candidates** shall file with the proper filing officer **between 9:00 a.m. and 5:00 p.m.** on the twenty-third (23) day after the primary election a declaration of intent to be a write-in candidate, accompanied by a petition signed by a number of voters equal to at least one percent (1%) of the total number of votes cast in the area sought to be represented as were cast for governor at the last preceding general election at which a governor was elected. No person shall be a write-in candidate in the general election who was a candidate or who filed a declaration of candidacy in the primary election immediately prior to the general election. *Refer to Sections 1-8-66 (A) & (F), NMSA 1978.*
- **Declarations of candidacy for nonpartisan judicial retention** for the Supreme Court, Court of Appeals, District Court, or Metropolitan Court shall be filed with the proper filing officer **between 9:00 a.m. and 5:00 p.m.** *Refer to Section 1-26-2 (C), NMSA 1978.*
- Candidates for legislative or statewide office who have not already filed a financial disclosure statement with the secretary of state in the same calendar year shall file a financial disclosure statement at the time of filing a declaration of candidacy. The FDS must be filed online, using the Campaign Finance Information System: <https://login.cfis.sos.state.nm.us/#/index>. Pursuant to Section 10-16A-2(H) NMSA 1978, a candidate for legislative or statewide offices who does not file a FDS before the date for qualification of the person as a candidate shall be

disqualified by the proper filing officer as a candidate.

June 27, 2024: VACANCY ON GENERAL ELECTION BALLOT; DEATH OF CANDIDATE OR RESIGNATION OR DEATH OF OFFICE HOLDER BEFORE GENERAL ELECTION

Vacancies on the general election ballot may be filled as provided in Subsection B of 1-8-7, NMSA 1978, if:

- After a primary election, if there is no nominee of a major political party for a public office to be filled in the general election and if the vacancy was caused by:
 - The death of a candidate after filing of the declaration of candidacy or after certification as a convention-designated nominee and before the primary election; or
 - The resignation or death of a person holding a public office after the last Friday before the first Tuesday in March, when such office was not included in the general election proclamation and is required by law to be filled at the next succeeding general election after the vacancy is created.

The vacancy may be filled subsequent to the primary election by the central committee of the state or county political party, as the case may be, as provided by Subsection A of 1-8-8, NMSA 1978.

- The name of the person to fill the vacancy on the general election ballot shall be filed with the proper filing officer on a form approved by the secretary of state on the twenty-third (23) day after the primary election, along with a declaration of candidacy subscribed and sworn by the selected nominee. The nominee shall also register and begin filing reports pursuant to the Campaign Reporting Act. Upon being nominated, the candidate shall fill out the online registration form using the Campaign Finance Information System (CFIS) on the Secretary of State's website located at <https://login.cfis.sos.state.nm.us/>. Upon approval of the registration by the secretary of state, the candidate will receive an email with instructions to complete the setup of the CFIS account. *Refer to Sections 1-19-25 through 1-19-36, NMSA 1978.*
- The subscribed Declaration of Candidacy to fill a vacancy on the general election ballot will be available **AFTER** the primary election.

June 27, 2024: LAST DAY TO FILE AS A NEW POLITICAL PARTY TO PARTICIPATE IN THE GENERAL ELECTION

To qualify as a political party in New Mexico:

- Each political party through its governing body shall adopt rules providing for the organization and government of that party and shall file the rules with the secretary of state. Uniform rules shall be adopted throughout the state by the county organizations of that party, where a county organization exists, and shall be filed with the county clerks. At the same time the rules are filed with the secretary of state, the governing body of the political party shall also file with the secretary of state a petition containing the hand-printed names, signatures, addresses of registration and counties of residence of at least one-half (1/2) of one percent (1%) of the total votes cast for the office of governor at the preceding general election, who declare by their signatures on the petition that they are voters of New Mexico and that they desire the party to be a qualified political party in New Mexico. Blank petition forms shall be available at any time from the secretary of state. *Refer to Sections 1-7-2, 1-7-3 and 1-7-4, NMSA 1978.*
- Organized state and county committees are required to register as a political action committee under the Campaign Reporting Act (CRA) and file campaign reports. *Refer to Article 19, NMSA 1978.*

- Except in the case of a political party certified in the year of the election, persons certified as candidates shall be members of that party on the day the secretary of state issues the general election proclamation. When a political party is certified in the year of the general election, and after the day the secretary of state issues the general election proclamation, a person certified as a candidate shall be:
 - A member of that party not later than the date the political party filed its rules and qualifying petitions (pursuant to Sections 1-7-2 and 1-7-4, NMSA 1978); and
 - A resident in the district of the office for which the person is a candidate on the date of the secretary of state's proclamation for the general election or in the case of a person seeking the office of United States representative, a resident within New Mexico on the date of the secretary of state's proclamation for the general election. No person who is a candidate for a party in a primary election may be certified as a candidate for a different party in the general election in the same election cycle. *Refer to Section 1-8-2 (D)(E), NMSA 1978.*

July 2, 2024: CERTIFICATION OF NOMINEES; MINOR PARTY & INDEPENDENT CANDIDATES

- Upon receipt of certificates of nomination of any minor political party and nominating petitions, and no later than 5:00 p.m. on the first Tuesday following the filing date, the proper filing officer shall:
 - Determine whether the method of nomination used by the certifying political party complies with the current rules of that party on file in the secretary of state's office;
 - Determine whether the number of signatures required have been submitted and all the requirements of Sections 1-8-1 through 1-8-3 NMSA 1978 have been complied with; and
 - If such determinations are answered in the affirmative, mail notice to the certifying party and the candidate no later than 5:00 p.m. on the Tuesday following the filing date that the certificates of nomination and nominating petitions are in proper order and that the candidate, based on those documents, is qualified to have the candidate's name placed on the ballot. *Refer to Section 1-8-4 (A), NMSA 1978.*
- No name shall be placed on the ballot until the person has been notified in writing by the proper filing officer that the certificate of registration on file, the declaration of candidacy and the petition, if required, are in proper order and that the person, based on those documents, is qualified to be a candidate. The proper filing officer shall mail the notice no later than 5:00 p.m. on the Tuesday following the filing date. *Refer to Section 1-8-26 (D), NMSA 1978.*

August 7, 2024: VACANCY ON GENERAL ELECTION BALLOT; OCCURRING AFTER PRIMARY

If after a primary election, but ninety (90) or more days before the general election (on or before August 7, 2024), a vacancy occurs, for any cause, in the list of the nominees of a qualified political party for any public office to be filled in the general election, or a vacancy occurs because of the resignation or death of a person holding a public office not included in the secretary of state's general election proclamation and which office is required by law to be filled at the next succeeding general election, or a vacancy occurs because a new public office is created and was not included in the secretary of state's general election proclamation but is capable by law of being filled at the next succeeding general election, the vacancy on the general election ballot may be filled by:

- The central committee of the state political party filing the name of its nominee for the office with the proper filing officer when the office is a federal, state, district office, or a multicounty legislative office; and

- The central committee of the county political party filing the name of its nominee for the office with the proper filing officer when the office is a magistrate office, county office or legislative district office where the district is entirely within the boundaries of a single county.
- The name of the person to fill the vacancy on the general election ballot shall be filed with the proper filing officer on a form approved by the secretary of state, and the nominee shall also register and begin filing reports pursuant to the Campaign Reporting Act. Upon being nominated, the candidate shall fill out the online registration form using the Campaign Finance Information System (CFIS) on the Secretary of State's website located at <https://login.cfis.sos.state.nm.us/>. Upon approval of the registration by the secretary of state, the candidate will receive an email with instructions to complete the setup of the CFIS account. *Refer to Sections 1-19-25 through 1-19-36, NMSA 1978.*

August 27, 2024: LAST DAY CANDIDATES CAN WITHDRAW FROM THE GENERAL ELECTION

A candidate's name shall not be printed on the ballot if, at least seventy (70) days before a general election: the candidate files with the proper filing officer a signed and notarized statement of withdrawal as a candidate in that election; a judicial determination is made that the candidate does not qualify to be a candidate for the office sought; the voter registration of the candidate is updated by the candidate in such manner that the candidate does not qualify to be a candidate for the office sought; or the voter registration of the candidate is canceled for any reason provided in Chapter 1, Article 4 NMSA 1978. *Refer to Section 1-10-6 (D), NMSA 1978.*

August 27, 2024: LAST DAY TO NOMINATE A CANDIDATE TO FILL A VACANCY ON GENERAL BALLOT (OCCURRING AFTER PRIMARY)

Appointments to fill vacancies in the list of a party's nominees shall be made and filed with the proper filing officer using a form approved by the secretary of state at least seventy (70) days prior to the general election, along with a declaration of candidacy subscribed and sworn by the selected nominee. *Refer to 1-8-8 (D) NMSA 1978.* The nominee shall also register and begin filing reports pursuant to the Campaign Reporting Act. Upon being nominated, the candidate shall fill out the online registration form located at <https://login.cfis.sos.state.nm.us/>. Upon approval of the registration by the SOS, the candidate will receive an email with instructions to complete the setup of the CFIS account. *Refer to Section 1-19-25 through 1-19-36 NMSA 1978.*

September 9, 2024: FIRST GENERAL CAMPAIGN REPORT OR STATEMENT OF NO ACTIVITY DUE

In an election year, all reporting individuals (except for public officials who are not candidates in an election that year), shall file campaign reports containing all expenditures made and contributions received or, if applicable, statements of no activity. *Refer to Section 1-19-29 (B)(3), NMSA 1978.*

- **Any candidate who fails or refuses to file a campaign report** or statement of no activity or to pay a penalty imposed by the secretary of state (as required by the Campaign Reporting Act), shall not, in addition to any other penalties provided by law: (1) have the candidate's name printed upon the ballot if the violation occurs before and through the final date for the withdrawal of candidates; or (2) be issued a certificate of nomination or election, if the violation occurs after the final date for withdrawal of candidates or after the election, until the candidate satisfies all reporting requirements of the Campaign Reporting Act and pays all penalties owed. *Refer to Section 1-19-35 (F), NMSA 1978.*

- **Any candidate who loses an election and who failed or refused to file a report of expenditures and contributions**, or a statement of no activity, or to pay a penalty imposed by the secretary of state (as required by the Campaign Reporting Act) shall not be, in addition to any other penalties provided by law, permitted to file a declaration of candidacy or nominating petition for any future election until the candidate satisfies all reporting requirements of that act and pays all penalties owed. *Refer to Section 1-19-35 (G), NMSA 1978.*

September 21, 2024: TRANSMISSION OF UNVOTED MILITARY-OVERSEAS BALLOTS TO FEDERAL QUALIFIED ELECTORS

Not later than forty-five (45) days before an election, even if the forty-fifth (45) day before an election falls on a weekend or a holiday, the county clerk shall transmit a ballot and balloting materials to all federal qualified electors who by that date submit a valid military-overseas ballot application. *Refer to Section 1-6B-7 (A), NMSA 1978.*

September 24, 2024: VOTER NOTIFICATION

At least forty-two days prior to each statewide election, the secretary of state, on behalf of each county clerk, shall mail a voter notification of the election. *Refer to Section 1-11-4.1, NMSA 1978.*

October 8, 2024:

- **VOTER REGISTRATION BY MAIL, BY VOTER REGISTRATION AGENT, AND ONLINE CLOSES**
Refer to Sections 1-4-8 (A).
- **EARLY IN-PERSON VOTING BEGINS (OFFICES OF THE CLERKS)**
Voter registration is available prior to voting. Refer to Section 1-6-5.7 and 1-4-5.7, NMSA 1978.
- **COUNTY CLERKS BEGIN SENDING MAILED BALLOTS**
Refer to Section 1-6-5 (F), NMSA 1978².

October 14, 2024: SECOND GENERAL CAMPAIGN REPORT OR STATEMENT OF NO ACTIVITY

No later than the second Monday in October, a report is due for all expenditures made, and contributions received on or before the first Monday in May and not previously reported. *Refer to Section 1-19-29 (B)(4), NMSA 1978.*

October 19, 2024: EXPANDED EARLY VOTING BEGINS (ALTERNATE SITES)

Commencing on the third Saturday prior to a statewide election and ending on the Saturday immediately prior to the date of the election, an early voter may vote in person on a voting system at alternate voting locations that may be established by the county clerk. *Refer to Section 1-6-5.7 (B), NMSA 1978.*

- Information related to early voting sites and sample ballots will be available on the Secretary of State’s website: <https://www.sos.state.nm.us/voting-and-elections/voter-information/>.

October 22, 2024: MAILED BALLOT APPLICATION DEADLINE (TIMELY RECEIVED)

² Absentee voting is primarily managed by the individual county clerks. Voters who wish to vote by mailed ballot must apply for a mailed ballot; beginning January 1, 2024, voters will have the option to request to be added to the voluntary permanent absentee voter list in their county. Applications are available from the county clerks and from the on-line application on our website at nmvote.org. Voters may apply for a mailed ballot at any time but should note that the county clerks have a strict timeline under which they may issue and accept them.

The county clerk shall mark each completed application for a mailed ballot with the date and time of receipt in the clerk's office and enter the required information in the ballot register. The county clerk shall then determine if the applicant is a voter and if the voter is a uniformed service voter or an overseas voter. If the applicant is a uniformed-service voter or overseas voter, the application shall be processed pursuant to the UMOVA. An application from a federally qualified elector who provides information permitting secured electronic delivery of the ballot is timely received by the county clerk no later than three (3) days prior to election day. An application from a federal qualified elector who does not provide information permitting secured electronic delivery of the ballot is timely if received by the county clerk by the deadline specified in the Absent Voter Act for receipt of mailed ballot applications. *Refer to Sections 1-6-5, and 1-6B-7 (D), NMSA 1978.*

October 31, 2024: THIRD GENERAL CAMPAIGN REPORT OR STATEMENT OF NO ACTIVITY

No later than the Thursday before a general election, a report of all expenditures made, and contributions received by 5:00 p.m. on the Tuesday before the election and not previously reported. *Refer to Section 1-19-29 (B)(5), NMSA 1978.*

SUPPLEMENTAL REPORTS

Any contribution or pledge to contribute that is received after 5:00 p.m. on the Tuesday before the election and that is for more than one thousand dollars (\$1,000) in a non-statewide election, or more than three thousand dollars (\$3,000) in a statewide election, shall be reported to the secretary of state either in a supplemental report on a prescribed form within twenty-four (24) hours of receipt or in the report to be filed no later than the Thursday before a primary, general or statewide special election, except that any such contribution or pledge to contribute that is received after 5:00 p.m. on the Friday before the election may be reported by 12:00 p.m. (noon) on the Monday before the election. *Refer to Section 1-19-29 (B)(5), NMSA 1978.*

November 2, 2024: EARLY VOTING ENDS

Refer to Section 1-6-5.7 (B), NMSA 1978.

November 5, 2024: General Election Day

- **POLLS OPEN FROM 7:00 A.M. TO 7:00 P.M.**
Refer to Section 1-12-1, NMSA 1978.
- **MAILED BALLOTS DUE BY 7:00 P.M. IN THE OFFICE OF THE COUNTY CLERK** A voter who requested and received a mailed ballot shall be allowed to deliver the official mailing envelope containing the voter's mailed ballot on Election Day to any polling location in the county in which the voter is registered if the voter presents the official mailing envelope to the presiding judge before the polls close on Election Day. *Refer to Sections 1-6-10, and 1-12-8.2 (A), NMSA 1978.*

November 26, 2024: CERTIFICATION OF ELECTION RESULTS (STATEWIDE)

The individual county canvassing boards must meet within six (6) days of the election to canvass the election results and no later than ten (10) days from the date of the election. A county canvassing board in a county with more than one hundred fifty thousand voters (150,000) shall meet to approve the report of the canvass of the returns and declare the results no sooner than six (6) days and no later than thirteen (13) days from the date of the election.

The state canvassing board shall also meet in the state capitol on the third Tuesday after each statewide election or special state election to approve the report of the canvass and declare the result of the vote on any constitutional amendment or any ballot question voted upon by the voters of more than one county. *Refer to Section 1-13-15, NMSA 1978.*

December 6, 2024: CERTIFICATES OF ELECTION TO WINNING CANDIDATES

On the thirty-first (31) day after any primary or general election, the secretary of state shall issue to those candidates entitled by law election certificates, or certificate of nomination in the case of the primary election, to all county officers, magistrates and to members of the legislature elected from districts wholly within the county. In addition, the county canvassing board, immediately after completion of the canvass, shall declare the results of the election and of all ballot questions affecting only precincts within the county. *Refer to Section 1-13-13 (C), NMSA 1978.*

January 7, 2025: FOURTH GENERAL CAMPAIGN REPORT OR STATEMENT OF NO ACTIVITY

No later than January 7 after a general election, a report by all reporting individuals, except those individuals that become candidates after the primary election, of all expenditures made and contributions received on or before December 31 after the general election and not previously reported. *Refer to Section 1-19-29 (B)(8), NMSA 1978.*

OFFICES APPEARING ON THE 2024 PRIMARY ELECTION BALLOT

OFFICE	DISTRICT (If Applicable)	TERM
President and Vice-President of the United States	National	4 years <i>Vice-President <u>only</u> appears on the General Ballot</i>
United States Senator	Statewide Office	6 years
United States Representative	District 1	2 years
United States Representative	District 2	2 years
United States Representative	District 3	2 years
State Senator	All 42 Districts	4 years
State Representative	All 70 Districts	2 years
Public Education Commission	District 1	4 years
Public Education Commission	District 4	4 years
Public Education Commission	District 8	4 years
Public Education Commission	District 9	4 years
Public Education Commission	District 10	4 years
PARTISAN ELECTION FOR JUDICIAL OFFICES		
Fifth Judicial District	Division 3	6-year Term
Eighth Judicial District	Division 2	4-year Term
Eleventh Judicial District	Division 7	2-year Term
Twelfth Judicial District	Division 1	2-year Term
<i>Appointed judges must run in a contested, partisan election in the first general election following their appointment. Thereafter, the judge runs in nonpartisan retention elections.</i>		
DISTRICT ATTORNEYS		
Judicial District	All	District Attorneys from all 13 Judicial Districts in New Mexico serve four (4) year terms. There are a total of 14 District Attorneys as the 11 th Judicial District has a separate District Attorney for McKinley County and San Juan County.
VACANCIES IN OFFICE		
Any office that becomes vacant because of resignation or death after the publication of this guide may also appear on the ballot. NMSA 1978, § 1-8-7		

COUNTY OFFICES APPEARING ON THE BALLOT

<p style="text-align: center;">BERNALILLO COUNTY</p> <p>County Commissioner (<i>Districts 2, 3 & 4</i>) County Clerk County Treasurer Metropolitan Court Judge (<i>Divisions 11</i>)</p>	<p style="text-align: center;">GUADALUPE COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>
<p style="text-align: center;">CATRON COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>	<p style="text-align: center;">HARDING COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>
<p style="text-align: center;">CHAVES COUNTY</p> <p>County Commissioner (<i>Districts 2, 3 & 4</i>) County Clerk County Treasurer</p>	<p style="text-align: center;">HIDALGO COUNTY</p> <p>County Commissioner (<i>Districts 3</i>) County Clerk County Treasurer</p>

<p align="center">CIBOLA COUNTY</p> <p>County Commissioner (<i>Districts 2, 4 & 5</i>) County Clerk County Treasurer</p>	<p align="center">LEA COUNTY</p> <p>County Commissioner (<i>Districts 1, 4 & 5</i>) County Clerk County Treasurer</p>
<p align="center">COLFAX COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>	<p align="center">LINCOLN COUNTY</p> <p>County Commissioner (<i>Districts 1, 3 & 4</i>) County Assessor County Sheriff</p>
<p align="center">CURRY COUNTY</p> <p>County Commissioner (<i>Districts 2, 4 & 5</i>) County Clerk County Treasurer County Assessor County Sheriff</p>	<p align="center">LOS ALAMOS COUNTY</p> <p>County Council (<i>Los Alamos County is composed of a County Council with 7 seats. Council 4, 5 & 7 will run in the 2024 election. Los Alamos has positions which run at large instead of by commission districts.</i>) County Clerk</p>
<p align="center">DE BACA COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>	<p align="center">LUNA COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>
<p align="center">DOÑA ANA COUNTY</p> <p>County Commissioner (<i>Districts 2, 4 & 5</i>) District Attorney County Clerk County Treasurer</p>	<p align="center">MCKINLEY COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>
<p align="center">EDDY COUNTY</p> <p>County Commissioner (<i>Districts 2, 3, & 5</i>) County Treasurer County Sheriff</p>	<p align="center">MORA COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>
<p align="center">GRANT COUNTY</p> <p>County Commissioner (<i>Districts 3, 4 & 5</i>) Magistrate Judge (Division 1) County Clerk County Treasurer</p>	<p align="center">OTERO COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer Magistrate Judge (Division 2)</p>
COUNTY OFFICES APPEARING ON THE BALLOT (CONTINUED)	
<p align="center">QUAY COUNTY</p> <p>County Commissioner (<i>Districts 1 & 2</i>) County Clerk County Assessor County Treasurer</p>	<p align="center">SIERRA COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>
<p align="center">RIO ARRIBA COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>	<p align="center">SOCORRO COUNTY</p> <p>County Commissioner (<i>Districts 2, 4 & 5</i>) County Clerk County Treasurer</p>
<p align="center">ROOSEVELT COUNTY</p> <p>County Commissioner (<i>Districts 1 & 2</i>) County Clerk County Treasurer</p>	<p align="center">TAOS COUNTY</p> <p>County Commissioner (<i>Districts 3 & 4</i>) County Clerk County Treasurer Magistrate Judge (Division 2)</p>

<p style="text-align: center;">SAN JUAN COUNTY</p> <p>County Commissioner (<i>Districts 3, 4 & 5</i>) County Clerk County Treasurer</p>	<p style="text-align: center;">TORRANCE COUNTY</p> <p>County Commissioner (<i>District 3</i>) County Clerk County Treasurer</p>
<p style="text-align: center;">SAN MIGUEL COUNTY</p> <p>County Commissioner (<i>Districts 2, 4 & 5</i>) County Clerk County Treasurer</p>	<p style="text-align: center;">UNION COUNTY</p> <p>At-Large County Commissioner (<i>Position 3</i>) County Clerk County Treasurer Probate Judge</p>
<p style="text-align: center;">SANDOVAL COUNTY</p> <p>County Commissioner (<i>Districts 2, 4 & 5</i>) County Clerk County Treasurer</p>	<p style="text-align: center;">VALENCIA COUNTY</p> <p>County Commissioner (<i>Districts 2, 4 & 5</i>) County Clerk County Treasurer</p>
<p style="text-align: center;">SANTA FE COUNTY</p> <p>County Commissioner (<i>Districts 2, 4 & 5</i>) County Clerk County Treasurer Magistrate Judge (Division 2)</p>	<p style="text-align: center;">VACANCIES IN OFFICE</p> <p style="text-align: center;">Any office that becomes vacant because of resignation or death after the publication of this guide may also appear on the ballot. Refer to Sections 1-8-7 & 1-8-8, NMSA 1978</p>

GENERAL ELIGIBILITY REQUIREMENTS FOR ALL OFFICES

Party Affiliation: In New Mexico, only major political party candidates will appear on the Primary Election ballot. The three (3) major political parties are the New Mexico Democratic Party, the Libertarian Party of New Mexico, and the New Mexico Republican Party.

Currently, the only minor political party in New Mexico is the Green Party of New Mexico. Minor party candidates are nominated for office according to the party rules on file with the Secretary of State and pursuant to Sections 1-8-2 and 1-8-3, NMSA 1978.

Information and deadlines for qualifying as a new minor party in New Mexico can be found

beginning on page 14 of this guide, on the Secretary of State's website at <https://www.sos.state.nm.us/voting-and-elections/voter-information-portal/nm-political-party-information/> and in Sections 1-7-2 & 1-7-4, NMSA 1978.

Independent candidates are candidates whose certificate of voter registration shows affiliation with no qualified political party on the date of the secretary of state's general election proclamation and, if applicable, shows residence on the date of the secretary of state's proclamation in the district or county of the office for which the person is a candidate. Please see 1-8-45, NMSA 1978 for specific qualifications for independent candidates.

U.S. Citizenship: U.S. Citizenship is a prerequisite to register to vote as well as a requirement in holding elective public office in New Mexico. N.M. Const. Art. VII, Sec. 2 (a).

Minimum Age: The Twenty-Sixth (26) Amendment of the United States Constitution grants the elective franchise to persons eighteen (18) years old or older and supersedes the minimum age requirements for voter registration in the New Mexico Constitution. Please note that some elected offices have specific age eligibility requirements beyond the minimum age requirements established by the Constitution. For that information, please see the Specific Eligibility Requirements section below.

New Mexico Requirements: New Mexico law outlines certain requirements for candidates to have their name printed on a ballot based upon the candidate's voter registration information. Specifically, the candidate's voter registration must show:

- Affiliation with the political party as of the date of the Secretary of State's general election proclamation on January 29, 2024. *Refer to Section 1-8-12, NMSA 1978.*
 - **Independent Candidates:** Voter registration must show no affiliation with any qualified political party on the date of the Election Proclamation. *Refer to Section 1-8-45 (A)(1)(a), NMSA 1978.*
 - **Minor Party Candidates:** Voter registration must show the candidate was registered as a member of their minor party on the day the secretary of state issues the general election proclamation. *Refer to Section 1-8-2 (D), NMSA 1978.*

Notice to Minor Party and Independent Candidates:

The names certified to the SOS shall be filed on the twenty-third (23) day following the primary election in the year of the general election and shall be accompanied by a nominating petition containing the signatures of voters totaling not less than one percent (1%) of the total number of votes cast for governor at the last preceding general election at which a governor was elected, in the state for statewide offices, or in the district for offices other than statewide offices, provided that:

- If there are fewer members of the minor party registered to vote (in the state for statewide offices, or registered to vote in the district for offices other than statewide offices) than the number of signatures required for that office, a nominating petition shall contain the signatures of voters totaling not less than the required number of signatures of voters for

independent candidates for the same office; and provided further that for the public education commission, a nominating petition shall be signed by at least two-thirds of the number of signatures that would otherwise be required, and for a judicial office, a nominating petition shall be signed by two-thirds of the number of signatures that would otherwise be required. *Refer to Section 1-8-2 (B), NMSA 1978.*

If a minor political party seeks but does not obtain qualified status, its candidates may instead run as an independent candidate in the general election *if they individually meet the requirements for independent candidacy.*

- An individual who has collected signatures for the purpose of running as a minor party candidate may apply their collected signatures toward the total required of an independent candidate for the same position if the party fails to qualify. Upon collecting the number of signatures required to file as such, the candidate may then run as an independent. To do this, the candidate must meet the residency requirements set forth for independent candidates and must not have been a member of a qualified political party on the date of the Secretary of State's general election proclamation. *Refer to Section 1-8-3.1, NMSA 1978.*
 - Residence in the district or county of the office for which the candidate is running on the date of the Secretary of State's General Election Proclamation (see 1-8-18 (A)(2), NMSA 1978). Residency is determined by the place shown on the certificate of voter registration as the candidate's permanent address, provided that the candidate resides on the premises (see 1-1-7.1, NMSA 1978); and
 - The candidate's name will appear on the ballot to match the voter registration record on file (see 1-4-16 (B), NMSA 1978). The candidate shall provide the appropriate filing officer with their name as registered when they file for their office. Any changes to voter registration must be effective on the date of the Secretary of State's General Election Proclamation. Attempted changes to ballot name appearance at the time of candidate filing is *not* allowed.

Felony Convictions: A person convicted of a felony shall not hold an office of the public trust for the state, county, municipality, or a district, unless the person has presented the governor with a certificate verifying the completion of the sentence and confirming the person was granted a pardon or a certificate by the governor restoring the person's full rights of citizenship. *Refer to Section 31-13-1, NMSA 1978.*

SPECIFIC ELIGIBILITY REQUIREMENTS

Office	Statutory Reference	Age	State Residence	District Residence	U.S. Citizen	Years in Term	Term Limit
U.S. Senator	U.S. Const. Art. I, Sec. 3	30	Yes	N/A	9 years	6	No
U.S. Representative	U.S. Const. Art. I, Sec. 2, cl.	25	Yes	N/A	7 years	2	No
State Senator	NM Const. Art. IV, Sec. 3	25	Yes	Yes	Yes	4	No
State Representative	NM Const. Art. IV, Sec. 3	21	Yes	Yes	Yes	2	No
Public Education Commission	NM Const. Art. XII, Sec 6	18	Yes	Yes	Yes	4	No
District Attorney	NM Const. Art. VI, Sec. 24	18	3 years	Yes	Yes	4	No
*District Court Judge	NM Const. Art. VI, Sec. 14	35	3 years	Yes	Yes	4	Retention Election
*Justice of the Supreme Court	NM Const. Art. VI, Sec. 8	35	3 years	N/A	Yes	8	Retention Election
*Judge of the Court of Appeals	NM Const. Art. VI, Sec. 8 and Sec. 28	35	3 years	N/A	Yes	8	Retention Election
*Metropolitan Court Judge	NM Const. Art. VI, Sec. 26 & NMSA 1978 § 35-2-1	18	Yes	Yes	Yes	4	Retention Election
County Commissioner	NM Const. Art. V, Sec. 13 & Art. VII, Sec. 2A & NMSA 1978 § 4-38-3	18	Yes	Yes	Yes	4	2
County Clerk	NMSA 1978 § 4-40-2 to 4-40-10	18	Yes	Yes	Yes	4	2
County Treasurer	NMSA 1978 § 4-43-2	18	Yes	Yes	Yes	4	2
County Assessor	NMSA 1978 § 4-39-2 through 6	18	Yes	Yes	Yes	4	2
County Sheriff	NMSA 1978 § 4-41-2 to 4-41-22	18	Yes	Yes	Yes	4	2
Probate Judge	NM Const. Art. VI Sec. 23 and NMSA 1978 § 34-7-1 to 34-7-225	18	Yes	Yes	Yes	4	2
Magistrate Judge	NM Const. Art. VI, Sec. 26 and NMSA 1978 § 35-2-1	18	Yes	Yes	Yes	4	No

Note:

**Unless the office is on the ballot to fill an unexpired term.*

NOMINATING PETITIONS

Offices which Require Nominating Petitions:

Candidates for United States representative, statewide offices (including supreme court justice and court of appeals judge), all state legislative offices, district court judge, metropolitan court judge, district attorney, magistrate court judge, and public education commission are required to file nominating petitions upon filing for office with the appropriate filing officer. Candidates who are required to file nominating petitions do not pay a filing fee.

County Offices:

Candidates for any county office listed in the proclamation issued pursuant to Section 1-8-13, NMSA 1978, shall have their names placed on the primary election ballot by filing declarations of candidacy and paying a fifty-dollar (\$50.00) filing fee or filing a nominating petition containing no fewer than ten (10) signatures for offices elected by district, or twenty (20) signatures for offices elected countywide, at the time of filing declarations of candidacy with the proper filing officer.

GENERAL INFORMATION

In October of 2023, the Secretary of State's office published candidate filing forms, as well as the nominating petition forms for the Primary Election; these items are posted on the Office's website (County Clerks were also provided with the documentation). The required number of signatures for contests appearing on the Primary ballot have also been posted. The required number of signatures for minor and independent candidates will be posted in March of 2024.

Receipt of valid signatures on a petition form are based on the official district boundaries set by the legislature and by law. New Mexico law also requires candidates to collect signatures on nominating petitions on the form prescribed by the Secretary of State. This form, which can be obtained on the Secretary of State's website or by contacting your local County Clerk, is the **only** acceptable form and **cannot** be altered. All other forms will be rejected on filing day. Candidates may make as many copies of the form as needed. Petition forms must be on 8.5" x 11" sized normal weight copy paper and must be single sided.

The provided form is electronically fillable and **all information at the top of the form** must be completed. Candidates not filling in the form electronically must be sure that forms are filled in with blue or black ink and are legible. Candidates are urged to avoid the use of white out, overtyping, using strikeouts or strikethroughs, cutting, pasting, or erasure when filling out the top portion of the petition form. Beginning in January of 2024, the SOS will implement a secure internet application that, in addition to the paper circulation process, will provide candidates with an option to gather petition signatures electronically.

Section 1-1-26, NMSA 1978, requires the following information shall be listed in the appropriate space at the top of a nominating petition before the petition has been signed by a voter:

- The candidate's name as it appears on the candidate's certificate of registration.
- The address where the candidate resides.

- The office sought by the candidate.
- If the office sought is a districted office or a division within a judicial district or has been assigned a position number for purposes of the election, the district, division, or position number of the office sought.
- If the office sought will be on the general election ballot, the party affiliation of the candidate or that the candidate is unaffiliated with any qualified political party.
- If the office sought will be nominated at a political party primary, the party affiliation of voters permitted to sign the petition.

Independent and Minor Party Candidates: The above requirements provided by Section 1-1-26, NMSA 1978 do not apply. Instead, voters signing petitions nominating independent and minor party candidates must be registered to vote in the applicable district, county, or state, depending on the office (see 1-8-50, NMSA 1978).

Independent and Minor Party: In March 2024 the Secretary of State will publish petition forms for independent and minor party candidates on the website, along with the signature numbers, and provide the forms and signature numbers to each County Clerk.

CIRCULATING NOMINATING PETITIONS

Candidates are ultimately responsible for the contents of their petitions and for the actions of the individuals representing them in the public. **It is extremely important that individuals assisting candidates with collecting petition signatures are adequately trained and appropriately informed.** Both candidates and the individuals assisting them face risks for failing to follow the law regarding petitions, including:

- A person knowingly falsifying any information on a nominating petition is guilty of falsifying an election document (see 1-8-32 (A), NMSA 1978). Falsifying an election document is a fourth-degree felony (see 1-20-9 (F), NMSA 1978).
- It is a misdemeanor to knowingly circulate, present, or offer to present a nominating petition for the signature of a voter that does not contain the information specified under the law (see 1-8-32 (B), NMSA 1978).
- Petitions submitted not in compliance with the law are not counted. This invalidates the signatures on those petitions and, therefore, will not be counted towards the candidate's required number of signatures.
- The law provides for legal challenges to petitions. If a challenge is filed in district court, candidates must defend their collection of signatures and risk a finding of invalid signatures by a district court judge or the New Mexico Supreme Court. If enough signatures are invalidated, the candidate could fail to appear on the ballot (see 1-8-35 (A), NMSA 1978).

When circulating nominating petitions, the candidate must ensure that signatures are collected from qualified, registered voters in the appropriate district or county, belonging to the candidate's political party. Voters signing petitions must sign the petition with their usual signature, print their name as registered, print their address as registered, and provide their city and/or zip code. *Signatures lacking any of these items are not counted.* Voters may sign only one (1) petition per

eligible office. Petition signatures must be legible and completed in blue or black ink; beginning in January of 2024, candidates will have the option to also gather petition signatures electronically.

Independent and Minor Party candidates: Voters signing petitions for independent and minor party candidates are *not* required to be registered in the minor candidate's political party. Instead, the voters certify that they are residents of the state, district, county, or area to be represented by the office for which the person seeking nomination is a candidate (see 1-8-2 (B) and 1-8-50, NMSA 1978).

Independent and minor party candidates MUST ensure they are circulating the correct nominating petition form which will be published March 2024 on the Secretary of State's website.

Minimum Number of Signatures: Candidates required to collect petition signatures have a minimum number of valid signatures they must collect to qualify for the ballot. The number requirements are calculated and published by the Secretary of State pursuant to 1-8-33, NMSA 1978 for major party candidates. The petition signature numbers are calculated from a required percentage of the total votes cast for all the party's candidates for governor at the last preceding primary election at which the party's candidate for governor was nominated. Information on the calculations is available upon request from the Bureau of Elections.

- **Minor Party Candidates:** The minimum required number of signatures is based upon the number of voters for the office of governor or president, as the case may be (see 1-8-2, NMSA 1978).
- **Independent Candidates:** The basis of percentage for the total number of votes cast in each instance referred to in this section shall be the total vote cast for governor at the last preceding general election at which a governor was elected (see 1-8-51, NMSA 1978).

The required number of petition signatures for each required office on the 2024 Primary ballot is presented in the following pages. It is strongly recommended that candidates obtain at least 10% more than the minimum amount of signatures required, in the event that a challenge to the petitions may be made and/or some signatures are disqualified.

REQUIRED NUMBER OF PETITION SIGNATURES

Candidates required to circulate petitions must meet statutory thresholds of signatures to qualify for the ballot. Candidates who seek, but do not receive preprimary convention designation may still qualify to appear on the ballot in the primary election by collecting additional signatures.

Federal Office

Office	% Threshold	Congressional District 1	Congressional District 2	Congressional District 3	Total
President	2%	7,139	5,345	8,995	18,479

Statewide Offices

Office	% Threshold	Democrats	Republicans	Libertarians
United States Senator	2%	2,505	2,351	294
United States Representative District 1	2%	946	938	104
United States Representative District 2	2%	584	657	81
United States Representative District 3	2%	974	755	78

District Court Offices

Judicial District Judges	% Threshold	Democrats	Republicans	Libertarians
5 th Judicial District Division 3	2%	50	293	15
8 th Judicial District Division 2	2%	116	49	15
11 th Judicial District Division 7	2%	174	216	15
12 th Judicial District Division 1	2%	42	160	15

New Mexico State Senators

Office	% Threshold	Democrats	Republicans	Libertarians
State Senator District 1	3%	29	102	17
State Senator District 2	3%	23	146	17
State Senator District 3	3%	96	44	17
State Senator District 4	3%	98	47	17
State Senator District 5	3%	173	48	17
State Senator District 6	3%	205	50	17
State Senator District 7	3%	27	130	17
State Senator District 8	3%	179	83	17
State Senator District 9	3%	127	112	17
State Senator District 10	3%	163	99	17
State Senator District 11	3%	54	29	17
State Senator District 12	3%	66	102	17
State Senator District 13	3%	126	43	17
State Senator District 14	3%	62	41	17
State Senator District 15	3%	100	79	17
State Senator District 16	3%	158	45	17
State Senator District 17	3%	56	35	17
State Senator District 18	3%	115	109	17
State Senator District 19	3%	105	176	17
State Senator District 20	3%	103	105	17
State Senator District 21	3%	106	154	17
State Senator District 22	3%	93	48	17
State Senator District 23	3%	91	82	17
State Senator District 24	3%	151	28	17
State Senator District 25	3%	270	43	17
State Senator District 26	3%	97	59	17
State Senator District 27	3%	27	182	17
State Senator District 28	3%	110	83	17
State Senator District 29	3%	84	122	17
State Senator District 30	3%	62	57	17
State Senator District 31	3%	20	17	17
State Senator District 32	3%	23	92	17
State Senator District 33	3%	46	163	17
State Senator District 34	3%	28	118	17
State Senator District 35	3%	73	147	17
State Senator District 36	3%	63	51	17
State Senator District 37	3%	79	55	17
State Senator District 38	3%	56	36	17
State Senator District 39	3%	127	67	17
State Senator District 40	3%	55	93	17
State Senator District 41	3%	17	64	17
State Senator District 42	3%	17	137	17

New Mexico State Representatives

Office	% Threshold	Democrats	Republicans	Libertarians
State Representative District 1	3 %	16	98	10
State Representative District 2	3 %	15	60	10
State Representative District 3	3 %	14	85	10
State Representative District 4	3 %	33	27	10
State Representative District 5	3 %	83	21	10
State Representative District 6	3 %	52	27	10
State Representative District 7	3 %	33	45	10
State Representative District 8	3 %	39	79	10
State Representative District 9	3 %	50	16	10
State Representative District 10	3 %	43	31	10
State Representative District 11	3 %	105	24	10
State Representative District 12	3 %	39	18	10
State Representative District 13	3 %	24	17	10
State Representative District 14	3 %	56	16	10
State Representative District 15	3 %	86	48	10
State Representative District 16	3 %	70	44	10
State Representative District 17	3 %	54	60	10
State Representative District 18	3 %	108	18	10
State Representative District 19	3 %	47	15	10
State Representative District 20	3 %	61	65	10
State Representative District 21	3 %	40	37	10
State Representative District 22	3 %	63	114	10
State Representative District 23	3 %	47	77	10
State Representative District 24	3 %	70	60	10
State Representative District 25	3 %	87	40	10
State Representative District 26	3 %	36	23	10
State Representative District 27	3 %	70	84	10
State Representative District 28	3 %	68	81	10
State Representative District 29	3 %	70	68	10
State Representative District 30	3 %	64	68	10
State Representative District 31	3 %	62	91	10
State Representative District 32	3 %	31	45	10
State Representative District 33	3 %	43	27	10
State Representative District 34	3 %	14	11	10
State Representative District 35	3 %	40	26	10
State Representative District 36	3 %	39	36	10
State Representative District 37	3 %	43	32	10
State Representative District 38	3 %	50	59	10
State Representative District 39	3 %	91	64	10
State Representative District 40	3 %	115	34	10
State Representative District 41	3 %	109	30	10
State Representative District 42	3 %	127	22	10
State Representative District 43	3 %	73	47	10

New Mexico State Representatives

Office	% Threshold	Democrats	Republicans	Libertarians
State Representative District 44	3 %	64	76	10
State Representative District 45	3 %	97	21	10
State Representative District 46	3 %	140	27	10
State Representative District 47	3 %	147	24	10
State Representative District 48	3 %	92	15	10
State Representative District 49	3 %	44	102	10
State Representative District 50	3 %	115	72	10
State Representative District 51	3 %	28	92	10
State Representative District 52	3 %	33	20	10
State Representative District 53	3 %	22	22	10
State Representative District 54	3 %	13	76	10
State Representative District 55	3 %	13	67	10
State Representative District 56	3 %	27	111	10
State Representative District 57	3 %	33	51	10
State Representative District 58	3 %	12	40	10
State Representative District 59	3 %	20	108	10
State Representative District 60	3 %	30	52	10
State Representative District 61	3 %	10	30	10
State Representative District 62	3 %	10	80	10
State Representative District 63	3 %	29	46	10
State Representative District 64	3 %	12	114	10
State Representative District 65	3 %	50	16	10
State Representative District 66	3 %	11	60	10
State Representative District 67	3 %	37	108	10
State Representative District 68	3 %	42	51	10
State Representative District 69	3 %	46	22	10
State Representative District 70	3 %	105	34	10

Public Education Commissioners

Office	% Threshold	Democrats	Republicans	Libertarians
Public Education Commissioner District 1	2 %	214	157	25
Public Education Commissioner District 4	2 %	282	300	25
Public Education Commissioner District 8	2 %	198	356	25
Public Education Commissioner District 9	2 %	59	298	25
Public Education Commissioner District 10	2 %	525	138	25

Metropolitan Judges

Office	% Threshold	Democrats	Republicans	Libertarians
Bernalillo County Metropolitan Judge Division 11	2 %	911	699	10

District Attorneys

Office	% Threshold	Democrats	Republicans	Libertarians
1 st Judicial District	3%	788	211	15
2 nd Judicial District	3%	1366	1048	15
3 rd Judicial District	3%	246	187	15
4 th Judicial District	3%	155	34	15
5 th Judicial District	3%	75	440	15
6 th Judicial District	3%	121	104	15
7 th Judicial District	3%	83	172	15
8 th Judicial District	3%	175	74	15
9 th Judicial District	3%	24	160	15
10 th Judicial District	3%	15	50	15
11 th Judicial District Division 1 (San Juan County)	3%	99	279	15
11 th Judicial District Division 2 (McKinley County)	3%	161	44	15
12 th Judicial District	3%	64	241	15
13 th Judicial District	3%	386	480	15

Magistrate Judges

Office	% Threshold	Democrats	Republicans	Libertarians
Dona Ana County Magistrate Judge Division 1	2 %	164	125	10
Grant County Magistrate Judge Division 1	2 %	60	39	10
Otero County Magistrate Judge Division 2	2 %	31	110	10
Santa Fe County Magistrate Judge Division 2	2 %	383	93	10
Taos County Magistrate Judge Division 2	2 %	95	16	10

County Offices

Office	By District	Countywide/At Large
Commissioner	10	20
Clerk	N/A	20
Treasurer	N/A	20
Assessor	N/A	20
Sheriff	N/A	20
Probate Judge	N/A	20

*Calculations based on voter data generated from New Mexico’s State Elections, Registration & Voting Integrity System (SERVIS).

**Calculations appended based on 2024 Proclamation.

SUBMISSION OF NOMINATING PETITIONS

Nominating petitions are submitted to the appropriate filing officer simultaneously with the Declaration of Candidacy on candidate filing day. The appropriate filing officer for each office is listed on page 35.

Signatures counted: If a candidate uses hardcopy nominating petition pages, the original petition pages will need to be submitted (copied or reproduced pages are not counted by the filing officer, and signatures contained on those petitions are not counted toward the number of required signatures). If the candidate uses the electronic signature gathering platform hosted by the SOS (either alone or in combination with hard copy forms), those

digital signature pages will need to be printed and submitted with the candidate's filing paperwork.

Number of signatures: Individual petition pages may contain one (1) to twenty (20) signatures. All necessary information is required for each signature to count. Signatures and accompanying information must be legible to the filing officer. The total number of petition forms must contain enough valid signatures to qualify the candidate for the ballot.

Petitions with incomplete individual voter information, as outlined above, are not counted: For example, if a petition contains twenty (20) voter signatures, but three (3) of those voters failed to provide the required information or are illegible, those three (3) signatures are not counted, but the remaining seventeen (17) are counted.

No alterations to submitted petitions: A nominating petition when filed shall not be withdrawn nor added to, nor shall any person be permitted to revoke their signature thereon. A nominating petition shall be complete when filed. The proper filing officer shall not permit additions to or withdrawals from a nominating petition after it is filed, nor shall any person be permitted to revoke their signature on a petition after it has been filed. The original nominating petition shall remain in the filing officer's office and copies shall be made available by the filing officer (see 1-8-34, NMSA 1978).

Challenges to Petitions: Challenges to petitions primarily occur when a voter files an action in district court challenging the validity of the petitions. Individuals wishing to challenge a petition shall file a court action challenging petitions within ten (10) days after the declaration of candidacy and petitions are filed. *See 1-8-35, NMSA 1978 regarding the requirements of a petition challenge for major party candidates and 1-8-45, NMSA 1978 for independent candidates.*

All nominating petitions submitted to the filing officer are public records: The filing officer retains the original nominating petitions and shall make copies available to the public upon request for a fee. The request form for petitions is on the Secretary of State's website. *Candidates are encouraged to make copies of their petitions prior to filing them for the candidate's own records.*

FILING DAY: WHERE TO FILE

As defined in Section 1-1-5.9, NMSA 1978, the proper filing officer for declarations of candidacy and candidate qualifications documents will be either the Secretary of State (statewide or federal offices) or the county clerk (for all other candidates), of the county in which the candidate resides.

File with the Secretary of State

- United States Senator
- United States Representative

File with Appropriate County Clerk

- State Senator
- State Representative
- Public Education Commission
- District Court Judge
- District Attorney
- Metropolitan Court Judge
- Magistrate Court Judge
- County Sheriff
- County Assessor
- County Commissioner
- County Councilor
- County Clerk
- County Treasurer
- Probate Judge

NEW MEXICO COUNTY CLERKS

Bernalillo

Clerk: Linda Stover (D)
415 Silver Ave SW, 2nd Floor
Albuquerque, NM 87102
(505) 468-1290
clerk@bernco.gov

Catron

Sharon Armijo (R)
P.O. Box 197
Reserve, NM 87830
(575) 533-6400
sharon.armijo@catroncountynm.gov

Chaves

Cindy Fuller (R)
P.O. Box 580
Roswell, NM 88202
(575) 624-6614
cindy.fuller@chavescounty.gov

Cibola

Michelle E. Dominguez (D)
700 East Roosevelt Ste. 50
Grants, NM 87020
(505) 285-2535
mdominguez@co.cibola.nm.us

Colfax

Rayetta M. Trujillo (D)
P.O. Box 159
Raton, NM 87740
(575) 445-5551
rtrujillo@co.colfax.nm.us

Curry

Annie Hogland (R)
417 Gidding St., Suite 130
Clovis, NM 88101
(575) 763-5591
ahogland@currycounty.org

De Baca

Jeffrey Barfield Hromas (R)
P.O. Box 347
Fort Sumner, NM 88119
(575) 355-2601
Jeffhromas@plateautel.net

Doña Ana

Amanda Lopez Askin (D)
845 N. Motel Blvd.
Las Cruces, NM 88007
(575) 647-7421
dacclerk@doaanacounty.org

Eddy

Cara Cooke (R)
325 S. Main Street
Carlsbad, NM 88220
(575) 885-3383
cara@co.eddy.nm.us

Grant

Marisa Castrillo (D)
P.O. Box 898
Silver City, NM 88062
(575) 574-0042
mcastrillo@grantcountynm.gov

Guadalupe

Robert Serrano III (D)
1448 Historic Route 66 Ste 1
Santa Rosa, NM 88435
(575) 472-3791
rserrano@guadco.us

Harding

C.J. Garrison (R)
35 Pine Street
Mosquero, NM 87733
(575) 673-2301
hardingcc@plateautel.net

Hidalgo

Alyssa Esquivel (D)
300 S. Shakespeare St.
Lordsburg, NM 88045
(575) 542-9213
countyclerk@hidalgocounty.org

Lea

Keith Manes (R)
P.O. Box 1507
Lovington, NM 88260
(575) 396-8619
kmanes@leacounty.net

Lincoln

Shannan Hemphill (R)
P.O. Box 338
Carrizozo, NM 88301
(575) 648-2394 ext. 130
shemphill@lincolncountynm.gov

Los Alamos

Naomi D. Maestas (D)
1000 Central Avenue, Suite 240
Los Alamos, NM 87544
505-662-8010
naomi.maestas@lacnm.us

Luna

Berenda McWright (D)
700 S. Silver
Deming, NM 88030
(575) 546-0491
berenda_mcwright@lunacountynm.us

McKinley

Jacqueline Katherine Sloan (D)
207 West Hill Street
Gallup, NM 87301
(505) 863-6866
clerk@co.mckinley.nm.us

Mora

Carlos J. Arellano (D)
P.O. Box 360
Mora, NM 87732
(575) 387-2448
cjarellano@countyofmora.com

Otero

Robyn Holmes (R)
1104 N. White Sands Blvd., Ste. C
Alamogordo, NM 88310
(575) 437-4942
rholmes@co.otero.nm.us

Quay

Ellen L. White (D)
P.O. Box 1225
Tucumcari, NM 88401
(575) 461-0510
ellen.white@quaycounty-nm.gov

Rio Arriba

Sarah Archuleta (D)
P.O. Box 158
Tierra Amarilla, NM 87575
(575) 588-7724
sarchuleta@rio-arriba.org

Roosevelt

Mandi Park (R)
109 W. First Street
Portales, NM 88130
(575) 356-8562
mpark@rooseveltcounty.com

San Juan

Tanya Shelby (R)
P.O. Box 550
Aztec, NM 87410
(505) 334-9471
tshelby@sjcounty.net

San Miguel

Louanna G. Ortega (D)
500 W. National Ave. Suite 113
Las Vegas, NM 87701
(505) 425-9331
lortega@co.sanmiguel.nm.us

Sandoval

Anne Brady-Romero (D)
P.O. Box 40
Bernalillo, NM 87004
(505) 867-7572
clerk@sandovalcountynm.gov

Santa Fe

Katharine E. Clark (D)
100 Catron St
Santa Fe, NM 87501
(505) 986-6280
clerk@santafecountynm.gov

Sierra

Shelly K. Trujillo (R)
100 N. Date Street, Suite 6
Truth or Consequences, NM 87901
(575) 894-2840
strujillo@sierraco.org

Socorro

Betty L. Saavedra (D)
P.O. Box I
Socorro, NM 87801
(575) 835-0423
bsaavedra@co.socorro.nm.us

Taos

Valerie Rael-Montoya (D)
105 Albright St., Suite D
Taos, NM 87571
(575) 737-6380
valerie.montoya@taoscounty.org

Torrance

Linda Jaramillo (R)
P.O. Box 767
Estancia, NM 87016
(505) 246-4735
ljaramillo@tcnm.org

Union

Brenda Green (R)
P.O. Box 430
Clayton, NM 88415
(575) 374-9491
brenda.green@unionnm.us

Valencia

Michael Milam (R)
P.O. Box 969
Los Lunas, NM 87031
(505) 866-2073
mike.milam@co.valencia.nm.us

WHEN TO FILE

Preprimary Convention Designation: Candidates for statewide or federal office who seek preprimary convention designation will file for office on February 6, 2024, in the Secretary of State’s office between the hours of 9:00 a.m. and 5:00 p.m. For candidates succeeding in preprimary designation, the party is responsible for submitting certificates of designation to the Secretary of State on the first Tuesday following the party’s convention at which the candidate’s designation took place.

Candidates who seek but do not obtain preprimary convention designation status may still file for office pursuant to 1-8-33 (D), NMSA 1978 by collecting additional petition signatures, submitting the additional petitions to the Secretary of State, and filing a new declaration of candidacy. The newly collected petition signatures are added to the previously submitted signatures and cumulatively totaled. This filing day is either 1) ten days after the primary convention or 2) filing day for all other candidates, whichever is later. At the time this guide is published, the Secretary has not been informed by the parties as to when their statewide conventions are being held. Please check with the individual parties to obtain these dates.

All other major party candidates: Major party candidates for offices not eligible for receiving a preprimary party designation will file for office on March 12, 2024, between the hours of 9:00 a.m. and 5:00 p.m. Filing is completed in the office of the appropriate filing officer listed above.

Write-in candidates³: Write-in candidates shall file for office on March 19, 2024, between the hours of 9:00 a.m. and 5:00 p.m. Filing is completed in the office of the appropriate filing officer as listed above. *Refer to 1-8-36.1 (C), NMSA 1978.*

Minor party, independent, and write-in candidates for the general election: Filing day is June 27, 2024, between the hours of 9:00 a.m. and 5:00 p.m. Filing is completed in the office of the appropriate filing officer as listed above.

In the event of a vacancy: If there is no nominee of a major political party for a public office to be filled in the general election, the following timelines apply:

- If the vacancy was caused by the death of a candidate after filing of the declaration of candidacy or after certification as a convention-designated nominee, and before the primary election – or – the resignation or death of an office holder after the last Friday before the first Tuesday in March (when the office was not included in the proclamation and is required by law to be filled at the next succeeding general election after the vacancy is created), the central committee of the state or county political party will fill the vacancy and submit their nomination to the SOS. The nominated candidate will also submit a declaration of candidacy to the SOS on **June 27, 2023**.
- If after a primary election, but ninety (90) or more days before the general election, a vacancy occurs to any cause, the central committee of the state or county political party (as appropriate) will file the name of its nominee for the office with the proper filing officer on

³ Specific information relevant only to write-in candidates is located on page 36 herein.

or before **August 7, 2024**.

WHAT TO FILE

Candidates are required to file the appropriate information with the appropriate filing officer on the filing day designated for their office.

Each candidate must come to the filing officer during the designated hours with the following information:

- Declaration of Candidacy (completed prior to arrival).
- Candidate Campaign Committee Registration Form (completed electronically and prior to arrival; candidates can bring a copy of the registration form submitted electronically).
 - Not required for federal candidates.
- Nominating Petitions (if required).
- Financial Disclosure Statement^{*4} (if required).
- Affidavit of Designee for Filing (if someone is filing on behalf of candidate).

FILING DAY TIPS

- Do not expect early service. Filing officers will not accept filings prior to 9:00 a.m.
- Do not wait until the last minute.
- Candidates not appearing by 5:00 p.m. in the appropriate filing officer's office cannot file.
- Candidates must file in the office of the appropriate filing officer. Be certain of who your appropriate filing officer is and the location of their office.
- Be prepared with all necessary information and have all forms completed.
- All required forms for filing day are available on the Secretary of State's website; <https://www.sos.nm.gov/candidate-and-campaigns/how-to-become-a-candidate/>.

Candidates must file in person, either themselves or via a proxy, who provides written authorization from the candidate permitting the individual to act on the candidate's behalf. Filing officers may accept *only* one declaration of candidacy from any individual, i.e. candidates may file for one office only in this election cycle. *Refer to Section 1-8-27, NMSA 1978.*

FILING FOR OFFICE AS A WRITE-IN CANDIDATE

Individuals wishing to appear on the primary ballot as a write-in candidate should review 1-8-36.1, NSMA 1978 in its entirety. Write-in candidates are permitted in the primary election only for the following offices:

- United States Representative
- State Senate

⁴ Financial disclosures are required of all candidates for legislative or statewide office. They are filed at the time the declaration of candidacy is filed and must be on the correct form. The Financial Disclosure Act, 10-16A-1 through 8, NMSA 1978 governs this requirement as well as subsequent disclosures required for certain elected officials.

- State House of Representatives
- District Court Judge
- District Attorney
- Public Education Commissioner
- Magistrate Judge

A write-in candidate's certificate of registration must reflect the party which is shown on their certificate of voter registration and must meet the general and specific qualifications for the office sought. Write-in candidates shall file a declaration of intent with the appropriate filing officer. Once the declaration of intent is filed, write-in candidates are considered a candidate for all purposes and provisions relating to candidates in the Election Code, including the financial reporting obligations. Names of write-in candidates are not printed on the ballot.

NOTIFICATION OF BALLOT QUALIFICATION

Filing officers are required to notify candidates about their qualification status in a timely manner; this notification will include whether or not a candidate is qualified to have their name appear on the ballot.

Candidates that qualify: Filing officers are required to notify candidates qualifying for the ballot of their qualification no later than 5:00 p.m. on the first Tuesday following the filing date. The notification dates for the Primary are February 13, 2024, for candidates seeking preprimary designation and March 19, 2024, for all major party candidates. Those seeking qualification as write-in candidates will be notified on March 26, 2024. For the General, the notification date is July 2, 2024. Qualification for the ballot requires meeting the minimum number of petition signatures (if required and presuming any challenge is overcome) and that the candidate's declaration of candidacy and certificate of voter registration are in proper order. Filing officers are required to mail a notice to qualified candidates.

Candidates that do not qualify: Candidates who are notified that they did not qualify to have their name placed on the ballot may challenge the filing officer's decision by filing a petition with the district court within ten (10) days of the notification. Procedures for a challenge and all other information regarding notification of qualification are found in 1-8-26, NMSA 1978.

BALLOT POSITION INFORMATION

Preprimary Candidates: Candidates designated and certified by state convention are placed on the ballot in the order of votes received at the convention, i.e., the candidate with the highest number of votes is listed first, followed by the remaining candidates in descending order of votes. Candidates with a tie convention vote are determined using the New Mexico Election Alphabet: <https://www.sos.nm.gov/candidate-and-campaigns/how-to-become-a-candidate/nm-election-alphabet/>.

All Other Candidates: Candidates for statewide office or federal office who are not designated by convention but qualified by submitting additional nominating petitions and a new declaration of candidacy, are placed on the ballot below the convention designated candidates; the order in which they are placed is determined by the New Mexico Election Alphabet. Qualified candidates for any other office are arranged on the ballot using the New Mexico Election Alphabet (see 1-10-7 (B), NMSA 1978 and 1.10.7 NMAC).

Ballot Order by Office: The names of the candidates of each political party qualified to participate in a general election shall be placed by party on the general election ballot in the order of preference as determined by the New Mexico Election Alphabet (see 1.10.7 NMAC).

CAMPAIGN FINANCE REQUIREMENTS

A note about getting started with your campaign:

In the beginning stages of your campaign, if you do not already have one, you must open a bank account that is used *only* for campaign purposes.

If your financial institution requires written confirmation that you are in fact a candidate for office, the Candidate Campaign Committee Registration form is the only item available to demonstrate the campaign is active until the declaration of candidacy is filed.

If a financial institution requests that the candidate produce a declaration of candidacy, they can be informed that this form is not made available until filing day. Such issues are typically a confusion in terminology and can be alleviated with an explanation from the candidate regarding the filing day form and requirements. Non-statewide candidates must file their Candidate Campaign Committee Registration Forms and begin reporting campaign finances upon spending or receiving more than one thousand dollars (\$1,000.00); Statewide candidates must file their Candidate Campaign Committee Registration Form and begin reporting campaign finances upon spending or receiving three thousand dollars (\$3,000.00). *Refer to 1-19-26 (G), NMSA 1978.*

CAMPAIGN REPORTS

The following information is intended as an introduction to campaign reporting requirements and highlights some statutory guidance which may be helpful for both experienced and first-time candidates. Candidates are responsible for adhering to all statutory requirements outlined in the Campaign Reporting Act.

New Mexico Campaign Finance System (CFIS) The New Mexico Campaign Finance System (CFIS) is the online application where candidates must report their campaign finances and can be accessed at <https://login.cfis.sos.state.nm.us/#/index>. A valid email address is required to use the system. For further information, please refer to the CFIS System Resources for Candidates and Campaign Finance Reporting Schedule found on the secretary of state's website at <https://www.sos.state.nm.us/candidate-and-campaigns/how-to-become-a-candidate/campaign-finance-reporting-information/>.

Candidates; and Campaign Committees - Treasurer and Contribution Filing Information (Section 1-19-34, NMSA 1978)

It is the responsibility of the political or campaign committee or candidate to ensure that a treasurer is appointed and constantly maintained. If a new treasurer is appointed, the secretary of state must be notified within ten (10) days. A candidate may serve as their own treasurer.

All transactions are to be authorized by and through the treasurer or candidate. The treasurer will maintain a bank account in the name of the candidate or committee and maintain receipts of deposits and disbursements from the account. It is permitted for investments from a bank account to earn interest, provided that the investments and earnings are reported.

The treasurer must maintain a full, true, and itemized record of each transaction, including the amount disbursed or received, the date, to whom disbursed or from whom received, and the purpose of the transaction.

Anonymous contributions may not exceed one hundred dollars (\$100.00) each. The total amount of anonymous contributions received by a reporting individual for each of the primary and general election cycles may not exceed two thousand dollars (\$2,000.00) for statewide candidates or five hundred dollars (\$500.00) for all other candidates.

Contributions received in excess of the limits provided by the Campaign Reporting Act (CRA) are donated to the state general fund or another organization (see 1-19-34 (D), NMSA 1978 for further guidance).⁵

Exception for special events: Cash contributions received at a special event are not subject to the above limitation, provided that:

- After expenses, the event raises no more than one thousand dollars (\$1,000.00) in anonymous cash contributions.
- The sponsor, date, place, total amount received, expenses incurred, estimated number of persons in attendance, and other identifiable factors that describe the special event are documented.
- Tickets costing twenty-five dollars (\$25.00) or less are sold for admission to the event.
- No more than twenty-five dollars (\$25.00) in cash is accepted from any one contributor.

Any amount over one thousand dollars (\$1,000.00) raised at a special event, after expenses, must be reported as individual contributions. Contributions received in excess of the limits provided by the Campaign Reporting Act (CRA) are donated to the state general fund or another organization (see 1-19-34 (D), NMSA 1978 for further guidance).

⁵ The Office of the Secretary of State follows guidelines outlined in the Election Code as well as the US District Court memorandum opinion and final judgment in Case No. 1:1-CV-00900-WJ-KBM, related to the Campaign Reporting Act provisions of Sec. 1-19-34.7(A)(1), (B) and (E).

A candidate or political committee shall not accept a contribution made by a credit card or debit card via the internet or where the card is not physically present unless, at the time the contribution is made, the contributor provides the card security code assigned to and printed or imprinted on the card, and the billing address associated with the card.

Further, Section 2-11-8.1, NMSA 1978 prohibits lobbyists from serving as a campaign chairman, treasurer, or fundraising chairman for a candidate for the legislature or statewide office.

The CRA requires candidates to file reports in CFIS on specific dates with specific reporting periods. Candidates who fail to file timely or correctly, or who violate the CRA risk negative implications, including complaints, fines, and administrative, civil, and/or criminal penalties.

Reports and Statements – Late Filing Penalty – Failure to File

If a statement of no activity or a report of expenditures and contributions is not filed or is filed after any deadline imposed by the Campaign Reporting Act, the responsible reporting individual or political committee shall be liable for and shall pay to the secretary of state fifty dollars (\$50.00) per day for each regular working day after the filing due date, as determined by the Campaign Reporting Act, until such time as the report is filed. The maximum fine, as provided by Section 1-19-35 (H), NMSA 1978 is as follows:

- Five thousand dollars (\$5,000.00) for statewide candidate committees and political committees.
- Two thousand five hundred dollars (\$2,500.00) for legislative, district judge, district attorney, and public education commission candidate committees.
- One thousand dollars (\$1,000.00) for county candidate committees running in a county designated as class A.
- Five hundred dollars (\$500.00) for all other non-class A county candidate committees.

The above requirement does not apply to supplemental reports required to be filed and delivered the Thursday prior to the election or any other supplemental report. If any reporting individual fails to file or files a late report of expenditures and contributions due on the Thursday prior to the election, they shall be liable and pay to the secretary of state five hundred dollars (\$500.00) for the first working day and fifty dollars (\$50.00) for each subsequent working day after the time required for the filing of the report until the complete report is filed. The maximum fine, as provided by Section 1-19-35 (H), NMSA 1978 is as follows:

- Five thousand dollars (\$5,000.00) for statewide candidate committees and political committees.
- Two thousand five hundred dollars (\$2,500.00) for legislative, district judge, district attorney, and public education commission candidate committees.
- One thousand dollars (\$1,000.00) for county candidate committees running in a county designated as class A.
- Five hundred dollars (\$500.00) for all other non-class A county candidate committees.

If a supplemental report required by Section 1-19-29 (B)(5), NMSA 1978 is not filed, or filed late, the reporting individual or political committee shall be liable for and pay to the secretary of state a penalty equal to the amount of each contribution received or pledged after the Tuesday before the election that was not timely filed.

The secretary of state will issue a written notice of failure to file a report, or a report filed past the deadline, which informs the reporting individual of the violation and fine. The reporting individual will have ten (10) working days from the date of the letter to come into voluntary compliance and provide a written explanation of any reason why the violation occurred. The secretary of state may waive or reduce the fine if the explanation is filed in a timely manner and the secretary of state determines that good cause exists.

A final determination by the SOS shall be a notice of final action and sent to the reporting individual by certified mail.

Any report or statement of no activity will be considered as filed in time only if it is received by the secretary of state by the date and time prescribed by law.

Penalties for failure or refusal to submit filings to or pay fines imposed by the secretary of state as required by the Campaign Reporting act, in addition to any other penalties provided by law, may include, (1) the candidate's name not appearing on the ballot, (2) the candidate not being issued a certificate of nomination, or (3) the candidate not being permitted to file a declaration of candidacy or nominating petition for any future election. These penalties may be lifted if the candidate satisfies all reporting requirements and pays all penalties owed.

Withdrawn candidates or candidates who do not win the election:

Candidates who are not moving on to the general election are encouraged to file a final report to inactivate their CFIS account indicating that:

- There are no outstanding campaign debts;
- All money has been expended in accordance with the provisions of Section 1-19-29.1 NMSA 1978; and
- The bank account(s) specific to the campaign have been closed.

Candidates are required to continue to file reports according to the reporting schedule in Section 1-19-29 NMSA 1978 until a final report is filed, even if they withdraw or lose the primary or general election.

FUNDRAISING NOTES

Legislative Session Fundraising Prohibition: As explained in NMSA 1978, Section 1-19-34.1, the Prohibited Period refers to the period of time before and during any session of the New Mexico State Legislature during which it is unlawful for certain elected officials, candidates for office, and their agents to knowingly solicit a contribution for any campaign or committee governed by the

Campaign Reporting Act.

The Prohibited Period applies to the following parties:

1. A state legislator, the state attorney general, the secretary of state, the state treasurer, the state commissioner of public lands, and the state auditor.
2. A candidate for state legislator, state attorney general, secretary of state, state treasurer, state commissioner of public lands, and state auditor.
3. Any agent on behalf of the state attorney general, the secretary of state, the state treasurer, the state commissioner of public lands, and the state auditor.
4. Any agent on behalf of a candidate for state attorney general, the secretary of state, state treasurer, state commissioner of public lands, and state auditor.

In a regular legislative session, the Prohibited Period begins each year on January 1, prior to the start of the session, and lasts through the adjournment of the session. In a special legislative session, the Prohibited Period begins after the proclamation declaring the special session has been issued and lasts through the adjournment of the session.

In the case of the following parties:

1. The governor or the lieutenant governor, and
2. Any agent on the governor's or the lieutenant governor's behalf,

The fundraising restrictions imposed by the Prohibited Period function are the same, but the duration of the Prohibited Period is longer. In a regular legislative session, the Prohibited Period begins each year on January 1, prior to the start of the session, and ends on the twentieth (20) day following the adjournment of the session. In a special legislative session, the Prohibited Period begins after the proclamation declaring the special session has been issued and ends on the twentieth (20) day following the adjournment of the session.

Additionally, no lobbyist may serve as a campaign chair, treasurer, or fundraising chair for a candidate for the legislature or other state office. It is unlawful during the prohibited period for any lobbyist or lobbyist's employer to contribute to or act as an agent or intermediary for political contributions to or arrange for the making of political contributions to the campaign funds of any statewide elected official or legislator or any candidate for those offices (see 2-11-8.1, NMSA 1978).

Raffles: While not specifically prohibited in the Election Code, upon guidance from the New Mexico Gaming Control Board (GCB), the Secretary of State cautions candidates against holding a raffle for fundraising purposes. <https://www.nmgcb.org/>.

DISCLAIMERS IN ADVERTISEMENTS

Campaign Signs and Campaign Materials:

A person who makes one or more campaign expenditures, coordinated expenditures, or independent expenditures for an advertisement that, in aggregate, exceed one thousand dollars (\$1,000) during the election cycle, shall ensure that the advertisement contains the name of the

candidate, committee, or other person who authorized and paid for the advertisement. This is known as the disclaimer statement.

Disclaimer statements shall be legible on any advertisement that is disseminated or displayed by visual media. If the advertisement is transmitted by audio media, the statement shall be clearly spoken during the advertisement. If the advertisement is transmitted by audiovisual media, the statement shall be both written legibly and spoken clearly by the advertisement (see 1-19-26.4, NMSA 1978).

Exceptions to the above requirement include:

1. Bumper stickers, pins, buttons, pens, and similar small items upon which the disclaimer cannot be conveniently printed; or
2. Skywriting, water towers, wearing apparel or other means of displaying an advertisement of such a nature that the inclusion of a disclaimer would be impracticable.

For other issues regarding appropriate contributions and expenditures, please refer to the Campaign Reporting Act and any administrative rules related to campaign finance at:

- <https://www.sos.state.nm.us/candidate-and-campaigns/>
- <https://www.sos.state.nm.us/legislation-and-lobbying/legal-resources/nm-administrative-rules/>

PRIMARY ELECTION REPORTING DEADLINES

- **First Primary Report:** Due April 8, 2024
(reporting period is October 3, 2023 through April 1, 2024)
- **Second Primary Report:** Due May 13, 2024
(reporting period is April 2, 2024 through May 6, 2024)
- **Third Primary Report:** Due May 30, 2024,
(reporting period is May 7, 2024 through May 28, 2024)
- **Fourth Primary Report:** Due July 4, 2024
(reporting period is May 29, 2024 through June 29, 2024)

GENERAL ELECTION REPORTING DEADLINES

- **First General Report:** Due September 9, 2024
(reporting period is June 30, 2024 through September 02, 2024)
- **Second General Report:** Due October 15, 2024
(reporting period is September 3, 2024 through October 07, 2024)
- **Third General Report:** Due October 31, 2024,
(reporting period is October 8, 2024 through October 29, 2024)
- **Fourth General Report:** Due January 7, 2025
(reporting period is October 30, 2024 through December 31, 2024)

Candidate; Campaign Committees; and Public Officials - Final Report Filing (Section 1-19-29(F), NMSA 1978):

- There are no outstanding campaign debts (balance of \$0.00);
- All money has been expended in accordance with the provisions of Section 1-19-29.1; and
- The bank account has been closed.

This applies to candidates that receive a certificate of nomination as well as to candidates who DO NOT receive a certificate of nomination after completion of the primary.

Fines and penalties will continue to accrue for each report or statement of no activity not filed until a final CFIS report is received and the CFIS account is closed.

ELECTION RESULTS AND CANVASS INFORMATION

To the extent possible, county clerks will provide unofficial election results on election night. However, the results are not official until the canvasses are completed. On election night, the absent voter election board shall recess upon the earlier completion of its work or 11:00 p.m. If the absent voter election board does not complete its work by 11:00 p.m. on election night, the board will reconvene on each subsequent day (between the hours of 9:30 a.m. and 9:30 p.m.), until the board has completed its work. The Secretary of State will publish election night results on our website in as near real time as possible as the results are received from the individual counties.

The individual county canvassing boards must meet within three (3) days of the election to canvass the election results and no later than ten (10) days from the date of the election. A county canvassing board in a county with more than one hundred fifty thousand voters (150,000) shall meet to approve the report of the canvass of the returns and declare the results no sooner than six (6) days and no later than thirteen (13) days from the date of the election.

The state canvassing board shall meet in the State Capitol on the third Tuesday after the election. No sooner than thirty-one (31) days after the election, the state canvassing board shall issue certificates of nomination or election to the appropriate prevailing candidates. Accordingly, prevailing candidates in the Primary should not expect to receive their certificates of nomination prior to July 5, 2024; prevailing candidates in the General election should not expect to receive their certificates of election prior to December 6, 2024.

ITEMS OF NOTE

Public Financing Information: (Sections 1-19A-1 to 1-19A-17, NMSA 1978)

The Voter Action Act (VAA) provides individuals seeking candidacy for covered offices with an opportunity to apply for public funds to finance the candidate's campaign. The funds are held by the state treasury in the Public Election Fund and disbursed to candidates once they are certified by the SOS. Additional information can be located on our website (including the VAA guide and forms): <https://www.sos.nm.gov/candidate-and-campaigns/2024-new-mexico-public-financing-information/>.

Candidates for statewide judicial offices (New Mexico Supreme Court Justice and Court of Appeals Judge) are eligible to apply for public financing under the VAA. The VAA specifically excludes judicial retention elections from public financing.

The following covered offices are eligible to apply for public financing in the 2024 election cycle:

1. Supreme Court Justice Position(s)
2. Court of Appeals Position(s)
3. Third Judicial District Position(s)
4. Fourth Judicial District Position(s)
5. Fifth Judicial District Position(s)
6. Eighth Judicial District Position(s)
7. Twelfth Judicial District Position(s)
8. Thirteenth Judicial District Position(s)

Participation in public financing is optional. Candidates that opt to participate are required to follow the application process prescribed by the SOS to meet all requirements for certification as set forth in the VAA.

Third-Party Agents Collecting Applications: (Section 1-6-4.3, NMSA 1978)

- All third-party registration agents shall register with the SOS or a county clerk and must complete training regarding the use of voter registration forms, the requirements that Section 1-4-49, NMSA 1978 places on third-party voter registration agents, and the penalties for failing to comply with Section 1-4-49, NMSA 1978.
- A person or organization that is not part of a government agency and that collects applications for mailed ballots shall submit the applications to the appropriate office for filing within forty-eight (48) hours of their completion or on the next business day if the appropriate office is closed for that forty-eight (48) hour period.
- A person who collects applications for mailed ballots and fails to submit a voter's completed application is guilty of a petty misdemeanor.
- A person who intentionally alters another voter's completed application for a mailed ballot is guilty of a fourth-degree felony.

Mailed Ballot Delivery to County Clerk: (Section 1-6-10.1, NMSA 1978)

- A voter, caregiver to that voter, or member of that voter's **immediate family or household**, may deliver that voter's absentee ballot to the county clerk in person or by mail, provided that the voter has subscribed the official mailing envelope of the absentee ballot. **As used in this section, "immediate family" means the spouse, children, parents, domestic partner, grandchildren, grandparents or siblings of a voter, or a person with whom the voter has a continuing personal relationship.**
- Unlawful possession of an absentee ballot is a fourth-degree felony (see 1-20-7, NMSA 1978).

If the voter's signature or last four of the social security number is missing or if the provided last four digits of the voter's social security number do not match the voter's registration certificate, the county clerk shall preserve the inner envelope with the official mailing envelope and immediately send the voter a notice to cure containing information regarding how the voter may provide the missing or incorrect information. The voter may provide the missing or corrected information at any time up to the conclusion of the appeal process for rejected ballots (Section 1-6-10, NMSA 1978).

Offenses and Penalties:

Chapter 1, Article 20 NMSA 1978 outlines some offenses and penalties associated with the Election Code. However, other parts of the Election Code also provide for offenses and penalties. It is important that all candidates are familiar with these and train all campaign staff accordingly. Some important items which are frequently asked about include:

- **Electioneering too close to polling place:** (Section 1-20-16, 1978)
Campaigning is prohibited within one hundred (100) feet of the building containing a polling place when the polling place is located within a school, church, or private residence. Campaigning within one hundred (100) feet of the door through which voters enter if the polling place is in the clerk's office, an alternate voting location, a mobile voting site, or any other location used as a polling place on election day, and that is not a school, church, or private residence, is also prohibited.
- **Obstruction of the polling place:** (Section 1-20-17, NMSA 1978)
Willfully blocking the entrance to a polling place or being within 50 feet of the polling place while not conducting lawful non-election business or taking part in the elective process, is defined as obstructing the polling place.
- **Election challengers, watchers, & observers:** (Section 1-2-22, NMSA 1978)
New Mexico law permits properly designated individuals to serve as challengers and watchers during early voting and on Election Day. Being a challenger or watcher gives the individual access to a specified early voting center or polling place to observe voting activities. Before accepting an appointment or entering into service as a challenger or watcher for an election, a person shall attend a training session in advance of the election. Additional information can be found on the SOS website at:
<https://www.sos.state.nm.us/voting-and-elections/voter-information-portal/election-challengers-watchers-observers-information/>.

PUBLIC OFFICIAL HOME ADDRESS CONFIDENTIALITY

Pursuant to 1-1-27.1, NMSA 1978 and 1.10.37 NMAC, candidates running for public office and individuals elected to public office can request that their home address be made confidential for purposes of public disclosure. Upon completing and submitting the appropriate form to the Secretary of State's office, the qualified candidate's address will be designated as confidential. The candidate must provide an alternate mailing address which will appear in public records.

A candidate who has their address designated as confidential shall not have their address publicly disclosed on government websites or in government documents, however, these limitations do not extend to judicial proceedings.

The alternate address the candidate provides on the form should be used for all government mailings. If the candidate provides their non-confidential home address in any publicly available location after signing the form, its disclosure is not the responsibility of the Office of the Secretary of State, nor will the Secretary of State be responsible for rectifying the disclosure.

This designation is contingent on the candidate's election and will no longer apply, should the candidate fail to be elected to the office for which they are running.