

FOR IMMEDIATE RELEASE

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**Sec. Toulouse Oliver and AG Torrez Issue Voter Information Advisory for the 2026
General Election**

The advisory provides important information about legal protections in place that ensure every voter can cast a ballot free from federal interference or intimidation

Santa Fe – Today, Secretary of State Maggie Toulouse Oliver and New Mexico Attorney General Raúl Torrez issued a voter information advisory for the 2026 General Election, giving voters, the media, and the general public essential voting information and reminding voters that their right to vote safely and free from interference and intimidation is protected under federal and state law.

A copy of the advisory is attached to this press release (below).

“This joint advisory is an essential tool in helping New Mexico’s voters make a plan to cast a ballot. Now more than ever, New Mexicans are being bombarded with misinformation about how to participate in our elections and about the security of the process,” said Secretary Toulouse Oliver. “I am so grateful to our strong partnership with the New Mexico Department of Justice in preparation for another accessible and safe general election this year.”

“The right to vote is a fundamental right at the heart of our democracy, and every American must be able to exercise that right without intimidation, interference, or coercion,” said Attorney General Raúl Torrez. “The New Mexico Department of Justice has worked to protect voters and uphold the integrity of our elections, and we will continue to enforce the law when those rights are threatened. This advisory is intended to be a practical resource for the public, providing clear information about voters’ rights, the protections in place at

polling locations, and how to report potential violations. Every New Mexican deserves to know their rights and have the confidence to exercise them.”

The voter information advisory includes information about:

- Dates and Deadlines for the 2026 General Election
- Mail-In Voting
- In-Person Voting
- Who is Allowed at the Polling Place
- Law Enforcement’s Role at a Polling Place
- Prohibited Activities and Individuals at the Polling Place and Ballot Drop Box Locations

The advisory underscores the fact that all registered voters have a right to cast a secret ballot without anyone bothering them or telling them how to vote. If someone interferes with this right through threats, intimidation, or coercion, or if you become aware of any interference with the right of New Mexico residents to vote, please notify the presiding judge at your polling location or contact our office at directly at 1-800-477-3632.

Voters are reminded that election officials, which include the Secretary of State’s Office and New Mexico’s 33 County Clerks, are sources for reliable and trustworthy election information. Voters should be wary of misinformation about voting and elections being promoted or repeated by varying sources on television, online or on social media. The Secretary of State’s Office has created an election misinformation fact check page at rumor.nmvote.org.

New Mexicans can also find trusted information about the 2026 General Election, including polling locations, sample ballots, and more at NMVote.org and sos.nm.gov/goodquestions or by contacting their County Clerk.

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VOTER INFORMATION ADVISORY

FOR THE

2026 GENERAL ELECTION

PRODUCED BY
THE OFFICE OF THE NEW MEXICO SECRETARY OF STATE
&
THE NEW MEXICO DEPARTMENT OF JUSTICE



ELECTION DAY IS NOV. 3, 2026
NMVOTE.ORG

Introduction & Overview

The 2026 General Election is an opportunity for voters across New Mexico to make their voices heard and decide on important candidates and questions that will shape the future of our great state.

Every eligible voter in New Mexico has the right to cast their ballot safely and freely, without being intimidated, threatened, or coerced. Voting is our most fundamental right and New Mexico's laws protect voters, poll workers, and election officials to maintain safety and order in and around the polling place.

Voter intimidation and discriminatory conduct, as well as obstruction or interference at the polls, is illegal under federal and New Mexico law. Any activity that threatens, harasses or intimidates voters, including any activity that is intended to, or has the effect of, interfering with any voter's right to vote is illegal, whether it occurs outside the polling place or inside the polling place. New Mexico additionally prohibits federal officers, including those in military or civil service, from interfering in state elections unless repelling armed enemies of the United States.

This document provides voters, the media, and the public with information for the 2026 General Election and includes information about:

- Dates and Deadlines for the 2026 General Election
- Mail-In Voting
- In-Person Voting
- Who is Allowed at the Polling Place
- Law Enforcement's Role at a Polling Place
- Prohibited Activities and Individuals at the Polling Place and Ballot Drop Box Locations

Know Your Rights

All registered voters have a right to cast a secret ballot without anyone bothering you or telling you how to vote.

Use Trusted Sources for Voting Information

Election officials, which include the Secretary of State's Office and New Mexico's 33 County Clerk's offices, are your sources for reliable and trustworthy election information. Be wary of misinformation being promoted or repeated by varying sources on television, online or on social media.

New Mexicans can find trusted information about the 2026 General Election, including polling locations, your sample ballot, and more at or by contacting your county clerk.

The Secretary of State's Office also has an election misinformation fact-check page that can be accessed on its Rumor vs. Reality webpage, <https://www.sos.nm.gov/voting-and-elections/rumor-vs-reality/>.

Voters can reach the Secretary of State's Office directly at 1-800-477-3632 with questions, and contact information for all 33 New Mexico County Clerks can be found here <https://www.sos.nm.gov/voting-and-elections/county-clerk-information/>.

Dates & Deadlines

- **September 19** – County Clerks begin sending military and overseas ballots.
- **October 6** – Mailed ballots begin going out to voters who have requested them.
 - Voting registration closes except for same day voter registration in-person at polling locations
 - Early Voting and Same Day Voter Registration begins.
- **October 17** – More Early Voting sites open throughout the state.
- **October 20** – Deadline to request a mail-in ballot.
- **November 3** – General Election Day. Polls open 7:00 am to 7:00 pm.
 - Same Day Registration is available at all voting locations.
 - County Clerks must receive mail-in ballots by 7:00 pm. The mail-in ballot may be returned by mail or in-person at the office of the County Clerk, to an early voting location, to a mobile voting location, at an Election Day voting location or to an official election drop box in the voter's county.

Voter Eligibility

In order to register and vote in New Mexico, a qualified elector or elector must be:

- A U.S. citizen,
- A New Mexico resident,
- At least 18 years old by Election Day, and
- Not currently incarcerated as the result of a felony conviction.

Mail-In/Absentee Voting for the 2026 General Election

Voting with a mail-in ballot is a safe and easy way to participate in the November election. Voting by mail remains a secure and accessible option for voters this November. Nothing has changed about the process this year.

Applying for an Absentee Ballot

Any registered voter may apply to receive an absentee ballot by mail. To apply online go to [NMVote.org](https://nmvote.org) or contact your local county clerk. Voters can also apply to be added to the voluntary permanent absentee voter list while requesting an absentee ballot online or through their paper voter registration form.

Beginning on October 6 (28 days prior to Election Day), County Clerks will begin mailing absentee ballots to voters who have applied for one.

The deadline to apply for a mail-in ballot is October 20.

Completing a Mailed Ballot

Once you receive your ballot, it is important to follow the instructions to complete the ballot including the required information on the official return envelope.

Returning a Mailed Ballot

The return envelope includes pre-paid postage and is pre-addressed for delivery back to the County Clerk, so you may drop it in a mailbox or at a post office or you may hand deliver the sealed absentee ballot envelope to your County Clerk's Office, or to a polling location in your county. You may also return your sealed absentee ballot to any secure ballot drop box in your county.

Pursuant to state law only a voter, member of that voter's immediate family or a person with whom the voter has a continuing personal relationship may deliver that voter's absentee ballot to the county clerk in person or by mail. "Immediate family" means the spouse, child, parent, domestic partner, grandchild, grandparent, or sibling of a voter. If any one of these authorized people returns the mailed ballot of the voter, they must sign the official mailing envelope.

In all cases, the ballot must be delivered by 7:00 pm on Election Day or it will not be counted.

Voting In-Person After Requesting an Absentee Ballot

What if you decide to vote in person, rather than vote with your requested absentee ballot? A voter may be issued a replacement ballot when they show up at a voting location. The voter will be asked by the poll official to sign an affidavit attesting that they have not and will not vote (return) the absentee ballot previously issued and they will then receive their replacement ballot that may be voted and fed into the tabulator. If for some reason the county clerk is unable to determine whether the absentee ballot has already been returned by the voter, a provisional ballot may be issued in lieu of the replacement ballot for later review to determine qualification.

Tracking a Mailed Ballot

You may track the status of your absentee mail-in ballot through secure ballot tracking offered by the New Mexico Secretary of State's Office at <http://sos.nm.gov/trackmyballot>. This website will provide information regarding whether or not your ballot was received by the county clerk and whether it has been accepted.

You may also contact your local county clerk for information on the status of your absentee ballot.

In-Person Voting for the 2026 General Election

Early and Election Day Voting

You may register to vote at Early and Election Day voting locations. Registered voters may vote at any Early or Election Day polling location in your county.

Hours of operation for Early Voting locations will vary. Check [NMVOTE.ORG](https://nmvote.org) or contact your County Clerk to find a polling location near you.

All Election Day polling locations are required to be open from 7:00 am to 7:00 pm on November 3.

When you appear to vote in person, you will first be checked in by a poll worker who will ask you to verbally provide voter identification: your name, registered address, and year of birth. Once you sign in, you will be issued a ballot and directed to a voting booth where you will be provided privacy to mark your ballot.

Once you are finished marking your ballot, you will be directed to insert it into a tabulation machine to be counted.

Voters with Disabilities

You may request assistance with voting in a polling location. Any person of your choice, including a poll worker, may assist you, except your employer, a union agent, or a candidate whose name is on the ballot.

Additionally, accessible voting and ballot marking devices are available at every polling location for voters who are blind or have low vision, or who have motor or hearing impairments.

Secured, Monitored Ballot Drop Boxes

Official election ballot drop boxes are secured containers required to be under 24-hour video surveillance and are checked regularly by County Clerk staff who collect the ballots.

Electioneering within 100 feet and restrictions on the open carrying of firearms apply to official ballot drop boxes.

Pursuant to state law, only a voter, member of that voter's immediate family or person with whom the voter has a continuing personal relationship may deliver that voter's absentee ballot to the county clerk in person or by mail. "Immediate family" means the spouse, child, parent, domestic partner, grandchild, grandparent, or sibling of a voter. If any one of these authorized people returns the

mailed ballot of the voter, they must sign the official mailing envelope.

A list of official election drop boxes in your county can be obtained from your County Clerk.

Who is Allowed at a Polling Place

Aside from voters, individuals authorized to be inside of a polling location should be wearing official name badges and/or have a letter of authorization from a party chairperson or the Secretary of State authorizing their presence in a polling location.

The following persons are permitted in the polling place while voting is occurring:

- Election Board Members (aka “Poll Workers”)
 - Election board members are the workers hired by the County Clerk to run the polling location. These workers are responsible for ensuring the proper conduct of voting which includes checking in voters, issuing ballots, supervising the tabulation machines, and keeping order.
 - The lead election board member is known as the Presiding Judge (PJ). At a minimum, there are at least one PJ and two election judges at every polling location. There may also be any number of election clerks present as deemed appropriate by the county clerk. The PJ and one election judge are always of differing political parties.
 - The PJ is responsible for enforcing the rules for the conduct of the election at the polling place. For example: 1) who is permitted within the polling place, 2) the number of voters permitted inside, 3) electioneering rules, and 4) ensuring orderly conduct. The PJ or any election judge may call upon various law enforcement authorities to assist him or her to that end.
- Voters
 - Voters in the process of voting, along with their children, are allowed in the polling location. Additionally, a person may bring someone of their choice to assist them, with few exceptions. Any person of your

choice, including a poll worker, may assist you, except your employer, a union agent, or a candidate whose name is on the ballot.

- Election Staff or Messengers
 - Messengers or credentialed agents working on behalf of the county clerk or Secretary of State are authorized to be present at a polling location. These people include election staff or vendors assigned to deliver supplies, pick up absentee ballots, and troubleshoot tabulation equipment or check-in computer stations. This may also include credentialed staff authorized to monitor the conduct of elections at a polling location.
- Challengers
 - Challengers are appointed, in writing, by a county or state political party to be present at a polling location. They are required to be voters in the county to which they are appointed and must have completed training from their County Clerk. Challengers serve as a check and balance to poll workers and may raise a “challenge” to the PJ under certain conditions. For example: 1) If the person offering to vote is not registered to vote, 2) a person has already voted in the election, or 3) a person is improperly registered or not a qualified elector. If a challenge is raised, the PJ is trained to handle this in accordance with the law.
 - Challengers may not perform any duty of an election board member or touch ballots, voting rosters, or other election related materials. They should only interact with the PJ, and challenges may not be made indiscriminately or without good cause.
- Watchers
 - Election-related organizations or any group of three candidates may appoint watchers to observe the conduct of voting in a polling location. Watchers are required to be voters in the county to which they are appointed and must have completed training from their County Clerk. The names of these people must be submitted to the Secretary of State in advance of their service and, if authorized, they will be issued a letter by the Secretary of State granting them access

to the polling place. These individuals are not authorized to issue a challenge but may take notes and observe the proceedings.

- Election-related organizations are required to have registered with the Secretary of State's Office at least 70 days prior to Election Day.

- Election Observers

- These individuals are registered with the U.S. Department of State and the Secretary of State and are typically international visitors with an academic interest in the election process. These individuals will be issued a letter by the Secretary of State granting them access to the polling place. These individuals are silent observers.
- Election observers may also be appointed by the U.S. Department of Justice, the U.S. House of Representatives, or the U.S. Senate.
- In all instances, observers are required to present credentials at polling locations and wear a nametag or badge.

- Media

- While the New Mexico Election Code does not specifically address media in the polling place, the county clerk or PJ may choose to allow media access as long as it is not interfering with the voting process or compromising the secrecy of the ballot.

- The Role of Law Enforcement

- No member of state police or other peace officers may interfere in any way with a member of the election board, a voter, or the conduct of election, except to assist in maintaining order when requested by the PJ, other election judge, the County Clerk, or the Secretary of State. The PJ, any election judge, the County Clerk, or the Secretary of State may request peace officers to assist by standing outside the polling location entrance and controlling the admission of voters to the polling place.
- There are specific penalties in the election code against law enforcement that enter the polls without authorization. New Mexico prohibits federal officers, including those in military or civil service, from interfering in state elections unless repelling

armed enemies of the United States. It is not appropriate for uniformed law enforcement to be present inside or outside of a polling location without being specifically called to assist with maintaining order by the election board, the county clerk, or the Secretary of State.

Prohibited Activities and Individuals at the Polling Place and Ballot Drop Box Locations

Anyone who intentionally refuses to permit a person to vote who is entitled to under law commits a crime under the Federal Voting Rights Act of 1965 and the New Mexico Election Code. Some specific activities are prohibited under federal and state law and are summarized in the following sections.

- Unauthorized Individuals
 - The PJ is the first line of defense in asking unauthorized individuals at a polling location to leave immediately. If an individual is resistant to following instructions or to leaving, the PJ has been instructed to contact law enforcement and the county clerk.
 - Only authorized challengers, watchers, and observers are permitted inside a polling location. Self-appointed watchers, such as private citizens, individuals purportedly appointed by organizations or private militia type groups, are not allowed to linger in the polling location and can easily present a disruption.
 - Additionally, authorized challengers, watchers, or observers may not directly confront voters. They also may not use raised voices or insulting, offensive, or threatening language. No one may interfere with the duties of the election board members.
 - Persons not authorized to be in the polling place or blocking the entrance of a polling place may be guilty of obstructing the polling place.
- Voter Intimidation
 - Voter intimidation is a crime under federal and state laws. Under the New Mexico Election Code, intimidation consists of “inducing or

attempting to induce fear in the secretary of state, a County Clerk, a municipal clerk or any employee or agent of the secretary of state, employee or agent of a county clerk, employee or agent of a municipal clerk, member of an election board, voter, challenger or watcher by use of or threatened force, violence, infliction of damage...for the purpose of impeding or preventing the free exercise of the elective franchise or the impartial administration of the election.”

- Some examples of voter intimidation may include:
 - Violent behavior inside or outside the polling site
 - Verbal threats of violence
 - Confronting voters while wearing military-style or official-looking uniforms
 - Spreading false information about voter fraud, voting requirements, or related criminal penalties
 - Brandishing firearms or the intimidating display of firearms
 - Aggressively approaching voters’ vehicles or writing down voters’ license plate numbers
 - Disrupting voting lines or blocking the entrance to the polling place
 - Harassing voters, aggressively questioning them about their qualifications to vote
 - Following voters to, from, or within the polling place
- Firearms in Polling Places
 - New Mexico bans the open carrying of firearms within 100 feet from any location used as a polling place during early voting or on election day, and firearms within 50 feet from ballot drop boxes starting October 6. However, if the person possessing a firearm is a certified law enforcement officer, is in a private automobile, is legally concealing said firearm, or is conducting lawful, non-election business, they are not in violation of this ban. Additionally, in New Mexico, brandishing or using a firearm in a threatening or intimidating manner could be considered voter intimidation. Certain locations designated as polling places may have separate statutory

limitations on carrying firearms, such as schools.

- Electioneering
 - Electioneering includes the display or distribution of signs or campaign literature, campaign buttons, t-shirts, hats, pins or other such items and includes the verbal or electronic solicitation of votes for a candidate or question.
 - The New Mexico Election Code prohibits electioneering within 100 feet of a polling location or secured, monitored ballot drop box.
- Coercion & Bribes
 - It is against state law to offer a bribe or accept a bribe related to voting for or refraining to vote for or against any candidate or ballot question.
- Disturbance of a Polling Place
 - Creating disorder or a disruption at an Early Voting or Election Day polling place during an election is against New Mexico law.
- Interference
 - Interference with an election worker, voter, or authorized challenger or watcher in their performance of their duties is a crime under New Mexico law.