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Contact: Joey Keefe (505) 469-2783

SOS Toulouse Oliver Proposes Change to Rule on Political Party Ballot Order & Repeal of Obsolete Emergency Voting Rule

Robust Public Input Opportunities Also Announced

SANTA FE – Today, New Mexico Secretary of State Maggie Toulouse Oliver proposed a change to an existing rule regarding [the order in which political parties appear on General Election ballots](#) to ensure that the political party ballot order is always established before the ballots are sent to the state’s printer. The Secretary also proposed to [repeal an outdated emergency voting rule for ill voters that was rendered obsolete](#) in 2017 because of new legislation signed into law. As part of today’s news, Secretary Toulouse Oliver also announced a robust public input process, including a public hearing and opportunities for New Mexicans to submit official written comment on the two proposals.

“As always, I’m committed to improving New Mexico’s elections so every voter has equal opportunity and access to make their voices heard,” said Secretary Toulouse Oliver. “These changes will make our General Elections fairer, and will remove unnecessary and duplicative language from the state’s administrative code.”

Under state law, the order in which political parties appear on the ballot is determined through a drawing of lots. Secretary Toulouse Oliver’s proposal would change the timing of the ballot order drawing to the last Friday in August. Previously, the drawing by political parties was held on the first Wednesday of September. Recent legislation moved the deadline for county clerks to provide final ballot content to the state’s printer to 63 days prior to Election Day, meaning the ballot order drawing would occur too late for the ballots to be ready in some years. Secretary Toulouse Oliver’s proposal would ensure that the ballot order is finalized before the printer deadline passes.

Secretary Toulouse Oliver’s proposal on political party ballot order would also allow qualified minor parties to participate in the same drawing as qualified major parties, ensuring that all qualified parties have the same opportunity to appear at the top of the ballot.

The second proposal would repeal an existing rule regarding how county clerks handle ballots that were issued in emergency voting situations when a voter was ill or otherwise confined to a hospital. The rule, which took effect in 1997, provided an option to voters who were too ill to physically cast their ballot at a voting location to request that an alternative ballot be delivered to them ensuring that they could still vote. Following the 2017 legislative session, these emergency voting procedures were codified into state law. As a

result, the previous administrative rule on emergency voting procedures is now duplicative and obsolete.

A public hearing will be held on the two proposed rules on Friday, August 10, 2018 at 9:00 a.m. at the State Capitol Building, 490 Old Santa Fe Trail, Room 322, Santa Fe, New Mexico 87501.

New Mexicans may also submit official written comments on the two proposals to Kari Fresquez, State Election Director, via email at sos.rules@state.nm.us, fax at (505) 827-8081, or mail to Attn: Kari Fresquez –Secretary of State, 325 Don Gaspar, Suite 300, Santa Fe, New Mexico 87501.

Learn more about the proposed Order of Political Parties rule [here](#).

Learn more about the proposed Repeal of the Provisional Voting rule [here](#).

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