1. Am I registered to vote?

A voter can determine whether he or she is registered to vote by checking the New Mexico Secretary of State’s website (https://voterportal.servis.sos.state.nm.us/WhereToVote.aspx).

2. Where do I vote?

A voter can determine his or her proper polling place by checking the New Mexico Secretary of State’s website (https://voterportal.servis.sos.state.nm.us/WhereToVote.aspx).

If a voter has recently relocated within the State of New Mexico and has not updated his or her voter registration, refer to Question #6.

3. When do the polls open and close?

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The polls must be open from 7:00 a.m. to 7:00 p.m. Mountain Time on Election Day. If you are a hotline volunteer or a field volunteer, and a polling location is not open at 7:00 a.m., advise voters to stay at the polling location and contact your hotline captain/command center. A voter in line at the polling place (or in a line that extends out the door of the polling place) by 7:00 p.m. must be allowed to vote. If you are a hotline volunteer or a field volunteer and a polling place prohibits those who were in line by 7:00 p.m. from voting, advise voters to stay at the polling location and contact your hotline captain/command center.

4. When is/was the voter registration deadline?

Voter registration closes 28 days prior to an election. For the 2020 Primary Election on June 2, 2020 the deadline to register is Tuesday, May 5, 2020. For the 2020 General Election on November 3, 2020, the deadline to register is Tuesday, October 6, 2020. Hand-delivered voter registrations should be taken directly to the county clerk and may be delivered until the Friday after the close of registration if the voter registration is dated and postmarked on or before May 5, 2020.

An unregistered individual may register to vote online and a registered voter may update his or her name, address or political party affiliation through the New Mexico Secretary of State website (https://portal.sos.state.nm.us/OVR/WebPages/InstructionsStep1.aspx). In order to register to vote or update personal voter information online, the individual must provide his or her social security number, New Mexico driver’s license number or New Mexico identification number and his or her date of birth.

5. Can I vote without providing identification?

Most voters aren’t required to show ID. Voters who registered in New Mexico for the first time, submitted their registration by mail, and didn’t include a copy of their ID when they registered need to enclose or bring a form of identification with the voter’s name and address to the polls. Identification can include (1) a current and valid photo identification; or (2) a current utility bill, bank statement, government check, paycheck, student identification card or other government document, including identification issued by an Indian nation, tribe or pueblo that shows your name and current address.

Please note that some municipal jurisdictions in New Mexico do have voter ID ordinances in place that require voter ID be presented to vote in city elections. This includes the City of Albuquerque and the City of Rio Rancho.

6. I have moved and I didn’t update my voter registration, can I vote?

If you have moved, you must fill out a new voter registration form and submit it to your county clerk’s office. New Mexico law does not specify what voters should do if they’ve moved and have not updated their registrations. Voters should call their county clerk’s office directly and request guidance - http://www.sos.state.nm.us/Voter_Information/County_Clerk_Information.aspx.

7. What should I do if there are equipment problems at my precinct?

Voters should immediately notify the election officers if the voting equipment breaks down or becomes disabled such that the voter is unable to cast a vote. If the problem cannot be fixed in a timely manner, a voter should ask if an emergency paper ballot is available. Emergency paper ballots should be issued if the voting system becomes disabled and cannot be repaired in a reasonable length of time and there are no other voting machines available for substitution.
If voting equipment is not functional, volunteers should contact their hotline captain or command center. They will then contact local elections officials to attempt to resolve the issue.

8. **I am a registered voter who is not on the rolls at the precinct where I currently am. Can I vote where I am?**

A voter whose name does not appear on the voter list and signature roster for the precinct must be allowed to sign an affidavit of eligibility, and after signing both the signature roster and the checklist of registered voters, must be allowed to cast a provisional paper ballot. **BUT provisional ballots are a last resort.** Many provisional ballots are not counted. The voter should make sure they are at the correct polling place before casting a provisional ballot.

9. **My name isn’t popping up on the list of registered voters – could it have been removed?**

The name of a registered voter can only be removed from the list of registered voters upon death, a felony conviction of the voter, at the request of the voter, or if a voter receives an address confirmation notice from the Secretary of State, does not respond to that notice, and does not vote for two consecutive general federal elections. **If a voter receives an address confirmation notice, and does not respond to that notice, but two consecutive general federal elections have not yet passed since the mailing of the notice, the voter should be listed as “inactive.”** Inactive voters should be asked to update their registration and should vote on a regular ballot.

Any voter whose name was removed from the voter registration list on the basis of a determination of ineligibility who subsequently becomes eligible to vote must again register to vote. Note that you can take steps to help to determine why a voter’s name is not popping up on the list of registered voters:

1. Check the voter’s registration status using the registration lookup tool to make sure they are registered to vote and at the right place. (see Question 1)
2. Has the voter moved recently? Could they be registered at an old address? Check that address in the registration lookup tool. (see Question 1 and Question 6)
3. Has the voter changed their name recently, or could they be registered under a different name? Check that name (and any variations of the voter’s name, especially for hyphenated names, which sometimes trip up the databases) in the registration lookup tool. (see Question 1)
4. When/where did the voter register to vote? Was that before the deadline?

10. **I have a criminal conviction. Can I vote?**

When a voter has been convicted of a felony in New Mexico, the voter’s registration is canceled. **A person convicted of a felony is eligible to re-register to vote when that person: (1) has been unconditionally discharged from a correctional facility or detention center; (2) has completed all conditions of parole or supervised probation; or (3) has had the conviction overturned on appeal.** To determine if a voter is qualified to have voting rights restored, the voter should contact the Department of Corrections, Division of Parole and Probation by telephone at (505) 827-8830.

11. **I have been offered a provisional ballot. What should I do?**

Inquire why the voter was offered a provisional ballot. If the voter is a first time voter who registered by mail and does not provide the required identification, the provisional ballot will only be counted if the voter
brings an acceptable form of identification to (1) the polling place before 7:00 pm on Election Day, or (2) the County Clerk’s office by 5:00 p.m. on the second day following the election. If possible, a voter should be encouraged to go and get identification in order to cast a regular ballot instead of a provisional ballot.

Also, if the voter was registered and the registration was later canceled and the County Clerk determines that the cancellation was incorrect, the voter's registration will be immediately restored and the provisional ballot will be counted.

A person shall be permitted to vote on a provisional paper ballot even though the person's original certificate of registration cannot be found in the county register or even if the person's name does not appear on the signature roster, provided: (1) the person's residence is within the boundaries of the county in which the person offers to vote; (2) the person's name is not on the list of persons submitting absentee ballots; and (3) the person executes a sworn statement.

A provisional ballot may be appropriate if the voter satisfies the following conditions: (1) has not previously voted in a general election in New Mexico or has been purged from the voter list; (2) registered to vote by mail; (3) did not submit the physical form of the required voter identification with the certificate of registration form; and (4) does not present to the election judge a physical form of the required voter identification.

A provisional ballot may also be appropriate if the voter does not provide the required voter identification to the election judge.

If a voter has to cast a provisional ballot, the poll worker should ask the voter to sign the signature roster. The poll worker should ensure that the voter completes the required information on the outer envelope of the provisional ballot before having the voter sign it and place it in an envelope designated for provisional paper ballots.

Other than for the reasons delineated in the New Mexico code, the voter should be able to cast a regular ballot. A provisional ballot should be a last resort as there are many circumstances in which it may not be counted. If the voter needs to cast a provisional ballot, the presiding judge or election judge will give the voter written instructions on how the voter may determine whether the vote was counted and, if the vote was not counted, the reason it was not counted. The New Mexico Secretary of State also has a free system available at https://voterportal.servis.sos.state.nm.us/ProvisionalSearch.aspx for a voter to check whether the provisional ballot was counted. The County Clerk must notify each voter whose provisional ballot was not counted and provide the reason it was not counted within ten days following the election.

12. I am a college student. Can I register to vote where I go to school?

A student may register to vote in New Mexico as long as he or she meets the generally applicable standards (i.e., 18 or older, a US citizen, not convicted of a felony, and legal resident of New Mexico). A student can be a legal resident as long as he or she plans to return to college after temporary absences; the student does not have to plan to reside at that address permanently.

13. I am physically disabled and need assistance. Will my polling place be accessible?

New Mexico law requires that a designated polling place be accessible to disabled voters and that at least one voting system be available to assist disabled voters to cast their votes. If a voter reports that the designated polling place for his or her precinct is not accessible to the handicapped, alert the command center immediately.
A voter may request assistance in voting if he or she:

1. Is blind;
2. Is physically disabled;
3. Is unable to read or write;
4. Speaks a different language and does not read English well enough to vote; or
5. Requires assistance in operating the voting system.

A voter who is eligible for assistance should announce this fact before receiving the ballot or using the voting system.

14. I am blind, physically disabled, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

Yes. Any voter who is qualified to receive assistance voting (see Question 13 above) is entitled to have some person of his or her choice, other than the voter’s employer, an agent of the employer, an officer or agent of the voter’s union or a candidate on the ballot, mark the voter’s choices or assist the voter in marking his or her choices on the ballot. All registration or voting notices, forms, instructions, assistance or other information relating to the electoral process must be printed in both English and Spanish. Some counties are required to have the same materials available in Native American languages.

15. I don’t know how to use the voting equipment. Can I get help?

Yes. Assistance must be requested by the voter before the voter receives the ballot or enters the voting booth. The request for assistance will be noted by the election official in the signature roster and initialed by the presiding judge.

The County Clerk is also required to make sample ballots available in both English and Spanish and display them to the public inside and outside a polling place and on each county’s website throughout Election Day.

16. Can I vote absentee or vote in person before Election Day?

Absentee voting allows registered voters to vote by mail or in-person before Election Day. There are three types of voting before Election Day in New Mexico:

1. **Absentee voting by mail**: Any registered New Mexico voter can request a mail-in absentee ballot. No special circumstances are necessary. The New Mexico Absentee Ballot Application is available at any County Clerk’s office. A voter may request an application by mail, telephone, or in person. To find the address and/or contact information for a voter’s County Clerk’s office, please go to: [http://www.sos.state.nm.us/Voter_Information/County_Clerk_Information.aspx](http://www.sos.state.nm.us/Voter_Information/County_Clerk_Information.aspx). Voters can also obtain an absentee ballot application on the Secretary of State website ([https://portal.sos.state.nm.us/OVR/WebPages/AbsenteeApplication.aspx](https://portal.sos.state.nm.us/OVR/WebPages/AbsenteeApplication.aspx)). A completed absentee ballot request should generally be mailed to the County Clerk’s office in person within 48 hours of receipt.
The County Clerk must receive the signed New Mexico Absentee Ballot Application by no later than the Friday before Election Day and the voter must return the ballot to the County Clerk’s office by 7:00 p.m. on Election Day.

2. **Early Voting in Person**: A registered voter may also vote early in-person (instead of voting by mail) at the County Clerk’s office beginning the 28th day before Election Day and ending on the Saturday before Election Day.

3. **Military-Overseas Citizens Absentee Voting**: A military or overseas voter may request an absentee ballot by mail, email or facsimile and may return the absentee ballot by mail, email or facsimile to the appropriate County Clerk. The voter must sign and return a waiver of secrecy form that will be provided by the County Clerk. For more information please go to: [http://www.fvap.gov/](http://www.fvap.gov/) or [https://portal.sos.state.nm.us/OVR/WebPages/MilitaryDoc.aspx](https://portal.sos.state.nm.us/OVR/WebPages/MilitaryDoc.aspx).

17. What if I requested an absentee ballot but I want to vote in person on Election Day?

Once an absentee ballot has been requested, the voter may **not** vote in person except by replacement absentee ballot. A replacement absentee ballot can be obtained at the County Clerk’s office or at an alternate voting location in the county where the voter is registered to vote before 5:00 pm on the Monday before Election Day. In both cases, the voter must submit a sworn affidavit stating that the voter did not receive or vote the absentee ballot. A voter who has received an absentee ballot may deliver the completed absentee ballot in the official mailing envelope to any Election Day polling place no later than 7 p.m rather than mailing it to the County Clerk’s office.

18. Does my state have Same Day Registration? If so, what is the process?

No, New Mexico does not have Same Day Registration. However, New Mexico permits NEW residents to register in-person up until the Saturday before an election. May 30 - 2020 Primary election. For a location where you can register to vote contact your local county clerk: [https://www.sos.state.nm.us/voting-and-elections/voter-information/county-clerk-information/](https://www.sos.state.nm.us/voting-and-elections/voter-information/county-clerk-information/)

19. What rules apply to people campaigning or “hanging around” my polling place? Can people approach me?

New Mexico law prohibits campaigning or electioneering within 100 feet of any polling location. Accordingly, campaign volunteers cannot approach or solicit voters if the voter is within 100 feet of the polling location. It is also illegal to block the entrance to a polling location.

20. Someone is formally challenging my right to vote. What do I do?

Poll workers and certain party challengers have the ability to challenge a voter’s eligibility to vote. A voter’s right to vote can be challenged for the following reasons: (i) you are not registered to vote, (ii) you are attempting to vote in person, but were mailed an absentee ballot, (iii) you have already cast a ballot, or (iv) you are not a qualified elector. In primary elections, you can also be disqualified from voting if you are not affiliated with the political party represented on the ballot. If the challenge is not based on one of these criteria, contact your hotline captain or command center for assistance.
A challenger must note the reason for the challenge, the time the challenge was made and the name and title of the person interposing the challenge. Once the challenge is made, three election judges will determine whether the voter will be allowed to vote. If election judges unanimously agree that the voter is ineligible, the voter will be allowed to vote via provision ballot. Otherwise, the voter will be allowed to vote normally.

21. Can I vote in the primary election?

The presidential primary in New Mexico “closed,” meaning that voters must be registered members of the party holding the primary to vote in the primary. Voters who are affiliated with all other political parties or voters who have no political party affiliation cannot participate in primary elections. Voters have until 28 days before the primary election to change their party affiliation. They must fill out a new voter registration form and submit it to the county clerk of Secretary of State's office or submit a new registration online in order to change their party affiliation. The deadline for registered voters to change party affiliation is May 5, 2020.

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1 N.M. Stat. Ann. § 1-12-1.
4 https://www.sos.state.nm.us/voting-and-elections/upcoming-elections/
5 N.M. Stat. Ann. § 1-4-8 (F).
7 New Mexico Secretary of State. “Voter Registration Information.”
http://www.sos.state.nm.us/Voter_Information/Voter_Registration_Information.aspx
8 Id.
9 http://www.sos.state.nm.us/Voter_Information/voting-2.aspx
http://www.sos.state.nm.us/Voter_Information/Voter_Registration_Information.aspx
16 New Mexico Secretary of State. “Voter Registration.”
http://www.sos.state.nm.us/Voter_Information/voter-registration.aspx
35 New Mexico Secretary of State. “Absentee Voting by Mail.”
   http://www.sos.state.nm.us/Voter_Information/absentee-voting-by-mail.aspx
36 N.M. Stat. Ann. § § 1-6-5
38 N.M. Stat. Ann. § 1-6-5(F).
40 N.M. Stat. Ann. § 1-6-16(C).
41 N.M. Stat. Ann. § 1-6-16.
44 N.M. Stat. Ann. § 1-6-10.1; https://www.sos.state.nm.us/voting-and-elections/voter-
   information/absentee-and-early-voting/.
46 N.M. Stat. Ann. § 1-20-16