

Frequently Asked Questions

New Mexico – General Election 2024

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Note: This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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REGISTERING TO VOTE

1. **ELIGIBILITY:** Can I register to vote?

To register to vote, voter must be:

- A U.S. citizen;
- A New Mexico resident;
- At least 18 years old at the time of the next election;
- An individual who has not been denied the right to vote by a court of law due to reason of mental incapacity;
- If a person has been convicted of a felony, they cannot vote while incarcerated. However, once such person is no longer incarcerated, they may register and vote in New Mexico elections. Such person may register to vote and vote in New Mexico elections even if on probation or parole.¹

17 year olds may register to vote if they will be 18 by the date of the next general election. 17 year olds who will be 18 by the general election may participate in the primary election, but must be 18 to participate in all other elections.²

2. PRIMARY ELECTION: Can I vote in the primary election? Do I need to be registered with a political party? Can I change my party registration to vote in another party's primary election? When I voted, the poll worker asked my party affiliation. Are they allowed to do that?

A voter may vote in the primary election if they are properly registered with a major party (as discussed below) and meet the criteria set forth in [Question 1](#) above.

A voter must be registered for one of the major parties in order to vote in its primary.

Major Parties

- New Mexico Democratic Party
- New Mexico Republican Party
- Libertarian Party of New Mexico

If voter is registered as DTS (decline-to-state) or with a minor party, voter can vote in the Primary Election using same-day registration – by going to the County Clerk's office; any participating polling place in their county during Early Voting; or any Election Day polling location in order to update their registration to one of the major parties. Voter can then vote in the Primary Election for whichever major party they've chosen. Voters may not use same-day registration to change registration between major parties during a Primary Election. A poll worker may ask for a voter's party affiliation to confirm eligibility to vote in that particular party's primary.³

Minor Parties

- New Mexico Working Families Party
- Green Party of New Mexico⁴

¹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-registration-information/>; § 1-4-27.1 NMSA 1978

² <https://www.sos.nm.gov/voting-and-elections/voting-fags/voter-registration/>

³ <https://www.sos.nm.gov/voting-and-elections/voting-fags/same-day-voter-registration-fag/>; see also §§ 1-4-5.7, 1-12-7, 1-12-7.1, and 1-12-7.2 NMSA 1978

⁴ <https://www.sos.nm.gov/voting-and-elections/voting-fags/voter-registration/>

3. **STATUS:** Am I registered to vote?

To check to see if a voter is registered to vote, the voter can visit [here](#).⁵ The voter will need to provide their First Name, Last Name, Date of Birth, and County. The voter may also call 1-866-OUR-VOTE (1-866-687-8683).

Once the voter enters this information, the voter will be able to see:

- Their voter registration information
- Their voting locations
- Their sample ballot
- Their absentee application and ballot status
- Their county clerk's contact information

4. **HOW:** How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?

The voter can register to vote online if they have a state-issued ID (driver's license or state identification card). If the voter does not have a state-issued ID, the voter must register by mail or in person.

To Register (or Update Registration) Online

Visit [here](#)⁶ or [here](#).⁷

If an applicant is registering online, the voter will need to provide his/her social security number, driver's license number or state identification number, and date of birth.

To Register (or Update Registration) by Mail

If voter does not have a state-issued I.D., or otherwise would prefer to register by mail, the voter can print the form online, fill it out, then mail it to the voter's [local county clerk's office](#).⁸ Applications can also be dropped off at the County Clerk's office. If voter is not sure where to send it, they can call the Secretary of State's office at 1-800-477-3632.

Registration forms are available online: English [here](#)⁹ and Spanish [here](#)¹⁰

If the voter does not have access to a computer or printer, the forms are also available for pickup at:

- The Secretary of State's office in Santa Fe,
- Motor Vehicle Division offices (and many other public assistance offices), or
- Voters can call their [local county clerk's office](#)¹¹ or the Secretary of State's office at 1-800-477-3632 and ask for a registration form to be mailed to them.¹²

⁵ <https://voterportal.servis.sos.state.nm.us/WhereToVote.aspx>

⁶ <https://portal.sos.state.nm.us/OVR/WebPages/InstructionsStep1.aspx>

⁷ <http://www.nmvote.org>

⁸ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

⁹ <https://portal.sos.state.nm.us/OVR/VRForms/VRFormEnglishFinal.pdf>

¹⁰ <https://portal.sos.state.nm.us/OVR/VRForms/VRFormSpanishFinal.pdf>

¹¹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

¹² <https://www.sos.nm.gov/voting-and-elections/voting-faqs/voter-registration/>

If the voter is registering for the first time in New Mexico and submitting the registration form by mail, the voter must provide the identification set forth in [Question 5](#) below.

5. **IDENTIFICATION:** [What ID is required to register to vote?](#)

If the voter is registering for the first time in New Mexico, and the voter submits the registration form by mail, the voter must submit with the form a copy of

- A current and valid photo identification; or
- 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 the voter’s name and current address.

If the voter does not submit one of these forms of identification with the voter’s mailed-in, first time registration, then the voter will be required to present one of the forms of identification when voting in person or absentee.¹³

6. **DEADLINES:** [When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?](#)

New Mexico provides for same day registration during early voting and on Election Day (see [Question 7](#) below). If a voter wishes to register to vote in advance, **October 8, 2024** is the last day to participate in regular registration (via online portal or paper registration) for the 2024 general election (voter registration closes 28 days prior to an election).¹⁴

October 8, 2024: Deadline to register to vote online or by mail.

October 11, 2024: Last day for county clerks to receive registration applications, as long as they were dated and/or postmarked before the registration deadline above.¹⁵

7. **SAME DAY:** [Does my state have Same Day Registration? If so, what is the process?](#)

Yes. New Mexico has Same Day Registration. A voter can register to vote or update their existing registration and vote on the same day at their [local county clerk’s office](#)¹⁶ or at any polling location in their county on Election Day.

Some County Clerks will offer additional same day voter registration locations at expanded early voting sites. To find early voting locations offering Same Day Registration, go [here](#)¹⁷ or contact the voter’s [local county clerk’s office](#).¹⁸

¹³ <https://www.sos.nm.gov/voting-and-elections/voting-faqs/voter-registration/>

¹⁴ § 1-4-8 NMSA 1978

¹⁵ Applications may be submitted by hand or mail to the appropriate county clerks through the Friday following the registration deadline, provided the date and/or postmark is before the deadline. § 1-4-8(F) NMSA 1978

¹⁶ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

¹⁷ <https://voterportal.servis.sos.state.nm.us/WhereToVoteAddress.aspx>

¹⁸ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

To Use Same Day Registration, a voter must bring:

- (1) a New Mexico driver's license or New Mexico identification card issued through the motor vehicle division of the taxation and revenue department;
- (2) any document that contains an address in the county together with a photo identification card (e.g., a 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 the voter's name and current address); or
- (3) a current valid student photo identification card from a post-secondary educational institution in New Mexico accompanied by a current student fee statement that contains the student's address in the county.¹⁹

Note: A voter seeking to register or update an existing registration immediately before voting may be asked to sign an affidavit under oath that the voter has not voted in the election in this state or elsewhere.²⁰

8. PERMANENT MOVE: I have moved permanently and I didn't update my voter registration, can I vote?

If the voter moves within the State of New Mexico, they must fill out a new voter registration form and submit it to their [local county clerk's office](#)²¹ or the [Secretary of State's office](#).²² Voters can register to vote or update their voter registration to their new address immediately before voting by using Same Day Voter registration (see [Question 7](#)).²³

9. TEMPORARY MOVE: I have moved temporarily. How can I vote?

For the purpose of determining residence for voting, the residence of a person is that place in which their habitation is fixed, and to which, whenever they are absent, they have the intention to return. A person does not lose their residence if they leave their home for temporary purposes only and with the intention of returning.²⁴ Thus, if a voter's move is temporary and they intend to return to their permanent residence, they should vote using the address of their permanent residence (which may be accomplished during early voting in person or absentee voting by mail).

10. STUDENT: I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?

Students may register to vote at either their school address or their permanent home address, but not both. For the purpose of determining residence for voting, New Mexico law states that a person does not gain or lose residence solely by reason of their presence or absence in the state while a student at an institution of learning.²⁵ If a student attends school in New Mexico, they may establish residence and vote in New Mexico if they have a fixed habitation in New Mexico and, whenever they leave, they have the intention to return to New Mexico.²⁶

¹⁹ <https://www.sos.nm.gov/voting-and-elections/voting-faqs/same-day-voter-registration-faq/>

²⁰ § 1-4-5.7 NMSA 1978

²¹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

²² <https://www.sos.nm.gov/contact-us/>

²³ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-registration-information/>

²⁴ § 1-1-7 NMSA 1978

²⁵ § 1-1-7(D) NMSA 1978

²⁶ § 1-1-7(A) NMSA 1978

11. LIVING ABROAD: I am living abroad and/or serving in the military. How can I register and/or vote?

A voter living abroad is eligible to vote in New Mexico if the voter is over 18 and a U.S. citizen and:

- New Mexico was the last place they lived before moving outside the U.S. (even if the voter moved away many years ago and no longer maintain a residence in New Mexico), or
- The voter was born to parents whose last U.S. residence was New Mexico (even if the voter never resided in New Mexico).

Voters may register to vote by one of the following methods:

- [Online Voter Registration](#).²⁷ (Must have a NM-issued driver's license or state ID card.)
- [Federal Post Card Application](#).²⁸ (An FPCA is also considered a request for an absentee ballot.) A new FPCA must be resubmitted each year to receive an absentee ballot for each election.
- Filling out a New Mexico Voter Registration form. English [here](#)²⁹ and Spanish [here](#).³⁰ Voter may submit the application via mail or email to their [local county clerk's office](#).³¹ If voter does not know which county clerk to submit their application to, send it to the [Secretary of State's office](#).³²

If voter is already registered to vote in New Mexico, voter can request a ballot by:

- Completing a Federal Post Card Application [here](#)³³ or
- Following the Absentee Voting process (more info [here](#))³⁴

Returning Ballot:

Voters covered under New Mexico's Uniform Military and Overseas Voter Act may choose to have their ballot sent to them via mail, email, or fax. Voters are then able to return their ballot via mail, email or fax provided that:

- The ballot is received in the county clerk's office by the close of polls (7:00 p.m.) on election day
- The voter signs an affidavit waiving the right of secrecy of their ballot
- The voter transmits the affidavit with the military-overseas ballot.

Please Note: The State of New Mexico Secretary of State has a detailed page about voting for those living abroad or in the military. Please visit [this website](#)³⁵ for additional information.

²⁷ <https://portal.sos.state.nm.us/OVR/WebPages/DomesticApplication.aspx>

²⁸ <https://www.fvap.gov/>

²⁹ <https://portal.sos.state.nm.us/OVR/VRForms/VRFormEnglishFinal.pdf>

³⁰ <https://portal.sos.state.nm.us/OVR/VRForms/VRFormSpanishFinal.pdf>

³¹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

³² <https://www.sos.nm.gov/contact-us/>

³³ <https://www.fvap.gov/>

³⁴ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

³⁵ <https://portal.sos.state.nm.us/OVR/WebPages/MilitaryDoc.aspx>

12. CRIMINAL CONVICTION: I have a felony criminal conviction. Can I register to vote? Does the type of conviction matter? Are there any restrictions after any misdemeanor convictions?

Check the resources at Campaign Legal [Restore Your Vote](#)³⁶ for latest information.

If a person has been convicted of a felony, they cannot vote while incarcerated. However, once such person is no longer incarcerated, they may register and vote in New Mexico elections. Such person may register to vote and vote in New Mexico elections even if on probation or parole.³⁷

13. INCARCERATED: I am currently incarcerated. Can I register to vote? Can I vote from jail?

Check the resources at Campaign Legal [Restore Your Vote](#)³⁸ for latest information.

Individuals convicted of misdemeanors remain eligible to vote, even if they are currently incarcerated. Voters who are incarcerated may register to vote and request an absentee ballot by mail.³⁹

Individuals who have been convicted of a felony cannot vote while incarcerated. However, once they are no longer incarcerated, they may register and vote in New Mexico elections. They may register to vote and vote in New Mexico elections even if on probation or parole.⁴⁰

14. REGISTRATION CHALLENGED: My registration has been challenged, what should I do?

A person's vote may be challenged for the following reasons:

- the person is not registered to vote;
- the person is listed among those persons to whom an absentee ballot was mailed;
- the person has already cast a ballot in that election;
- the person is improperly registered because they are not eligible to register; or
- in the case of a primary election, the person is not affiliated with a political party represented on the ballot.⁴¹

If the challenge is unanimously affirmed by the presiding judge and the two election judges, the person shall be furnished a provisional ballot (see [Question 22](#) for more information on provisional ballots). Otherwise, the voter shall be allowed to vote as normal.

HOW TO VOTE: ELECTION DAY

³⁶ <https://campaignlegal.org/restoreyourvote>

³⁷ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-registration-information/>; § 1-4-27.1 NMSA 1978

³⁸ <https://campaignlegal.org/restoreyourvote>

³⁹ § 1-20-18(B) NMSA 1978

⁴⁰ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-registration-information/>; § 1-4-27.1 NMSA 1978

⁴¹ § 1-12-20 NMSA 1978

15. HOURS: When do the polls open/close on Election Day?

The polls are open from 7:00 a.m. to 7:00 p.m. Mountain Time on Election Day.⁴² An individual who is in line at the time polls close must be allowed to vote.⁴³

16. POLLING LOCATION: Where do I vote on Election Day?

Voters may vote at any voter convenience center in the county where they are registered to vote.⁴⁴ Voters can check [online](#)⁴⁵ for the polling location nearest them.

17. TIME OFF WORK: Is my employer required to give me time off to vote? Is it paid or unpaid?

New Mexico employers must let employees have up to 2 hours off from work to vote on election day without penalty, which includes no docking of wages. This does not apply if the employee's normal work day begins more than 2 hours after polls open or ends more than 3 hours before polls close on Election Day. Employers may specify the hours when employees may leave to vote, except they may not require employees to use their lunch period or a period before or after their normal work hours.⁴⁶ An employer may adjust the customary work day, e.g., to release its employees from work more than three hours prior to the closing of the polls, without any wage deduction for the shortened workday.⁴⁷

18. CLOSING: What if the polls close when I am already in line?

Voters in New Mexico have the right to vote if they were in line before the polls close at 7:00 p.m.⁴⁸

19. IDENTIFICATION: What identification is required to vote?

New Mexico doesn't require voters to present identification to vote in a statewide election (but some municipal elections may require voter ID).

If a first-time voter did not provide ID when registering to vote via mail, the voter will be required to present appropriate identification at the polling place (see [Question 5](#)).

Otherwise, they will be asked to provide a verbal or written statement of identification including their name, year of birth, and registered address.⁴⁹

⁴² § 1-12-1 NMSA 1978

⁴³ § 1-12-26 NMSA 1978

⁴⁴ § 1-3-4 NMSA 1978

⁴⁵ <https://voterportal.servis.sos.state.nm.us/WhereToVote.aspx>

⁴⁶ § 1-12-42 NMSA 1978; 1974 Op. Att'y Gen. No. 74-36

⁴⁷ *State v. Kenneth P. Thompson Co.*, 1985-NMCA-098, 103 N.M. 453, 708 P.2d 1054

⁴⁸ § 1-12-26 NMSA 1978;

<https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-bill-of-rights/>

⁴⁹ <https://www.sos.nm.gov/voting-and-elections/voting-faqs/voting/>

20. NO IDENTIFICATION: Can I vote without providing identification?

Voters do not have to present identification to vote in a statewide election. If a first-time voter did not provide ID when registering to vote via mail, the voter will be required to present appropriate identification at the polling place (see [Question 5](#)).⁵⁰

Some municipal jurisdictions in New Mexico have ordinances in place that require voter ID be presented to vote in city elections. This includes, but is not limited to, the City of Rio Rancho. Voters may wish to check whether their municipal jurisdiction has a local ordinance in place that requires a voter ID to be presented to vote in that municipality's elections.

21. NOT ON ROLLS AT MY POLLING PLACE: I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?

A voter may wish to confirm their voter registration [online](#).⁵¹ If they are not registered, they may register and vote using same day registration. See [Question 7](#).

22. GIVEN PROVISIONAL BALLOT: I am being told I have to vote provisionally, what does that mean?

A voter will be issued a provisional ballot if their name does not appear on the roster at their polling place or if they are a first time voter who registered by mail and did not provide the required identification.⁵² A voter may also be issued a provisional ballot if their vote is challenged (see [Question 14](#)).

Note that if a voter discovers they are not the rolls and are voting during the early voting period or on Election Day the voter may register and vote using same day registration. See [Question 7](#).

23. REQUESTING PROVISIONAL BALLOT: I am being told I can't vote, can I vote provisionally?

A voter will be issued a provisional ballot if their name does not appear on the roster at their polling place or if they are a first time voter who registered by mail and did not provide the required identification.⁵³ A voter may also be issued a provisional ballot if their vote is challenged (see [Question 14](#)).

Note that if a voter discovers they are not on the rolls and are voting during the early voting period or on Election Day the voter may register and vote using same day registration. See [Question 7](#).

24. PROVISIONAL BALLOT NEXT STEPS: I voted a provisional ballot, what now?

After voting with a provisional ballot, a voter may monitor the status of their ballot by checking the Provisional Ballot [search page](#).⁵⁴

⁵⁰ <https://www.sos.nm.gov/voting-and-elections/voting-faqs/voting/>

⁵¹ <https://voterportal.servis.sos.state.nm.us/WhereToVote.aspx>

⁵² <https://www.sos.nm.gov/voting-and-elections/voting-faqs/provisional-voting/>

⁵³ <https://www.sos.nm.gov/voting-and-elections/voting-faqs/provisional-voting/>

⁵⁴ <https://voterportal.servis.sos.state.nm.us/ProvisionalSearch.aspx>

HOW TO VOTE: IN-PERSON EARLY VOTING

(in this state defined as: “absentee” voting at an “early voting location”)

25. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)?

Yes. Voters may vote in person at their local County Clerk’s office or an early voting location prior to Election Day.⁵⁵

26. ELIGIBILITY: Do I have to have a reason to vote early?

No. Any eligible voter may vote absentee. No excuse is required.⁵⁶

27. WHEN: When does early voting begin/end?

Early voting begins 28 days prior to the election (**October 8, 2024**) at County Clerk’s offices. Some counties offer expanded early voting beginning on the third Saturday before Election Day (**October 19, 2024**). Early voting ends the Saturday before the election (**November 2, 2024**).⁵⁷

Voters can go to this [website](#)⁵⁸ or contact their [local county clerk](#)⁵⁹ for times and locations where they can cast an early ballot.⁶⁰

28. WHERE: Where do I vote during early voting?

Voters can go to this [website](#)⁶¹ or contact their [local county clerk](#)⁶² for times and locations where they can cast an early ballot.⁶³

29. IDENTIFICATION: What identification is required for early voting? What if I don’t have an ID?

New Mexico doesn’t require voters to present identification to vote in a statewide election (but some municipal elections may require voter ID).

If a first-time voter did not provide ID when registering to vote via mail, the voter will be required to present appropriate identification at the polling place (see [Question 5](#)).

⁵⁵ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

⁵⁶ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

⁵⁷ <https://www.sos.nm.gov/voting-and-elections/voting-faqs/early-voting-in-person/>

⁵⁸ <https://voterportal.servis.sos.state.nm.us/WhereToVoteAddress.aspx>

⁵⁹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

⁶⁰ <https://www.sos.nm.gov/voting-and-elections/voting-faqs/early-voting-in-person/>

⁶¹ <https://voterportal.servis.sos.state.nm.us/WhereToVoteAddress.aspx>

⁶² <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

⁶³ <https://www.sos.nm.gov/voting-and-elections/voting-faqs/early-voting-in-person/>

Otherwise, they will be asked to provide a verbal or written statement of identification including their name, year of birth, and registered address.⁶⁴

30. ASSISTANCE: What if I need assistance voting early in person?

See “Accessibility/Assistance” beginning with [Question 76](#).

HOW TO VOTE: VOTE BY MAIL

(in this state defined as: “absentee” voting by “mailed ballot”)

31. AUTOMATIC MAIL BALLOT: Will I automatically be sent a ballot in the mail?

Only if the voter has joined the voluntary permanent absentee voter list in their county. A voter may join this list by requesting a ballot using the usual process (see [Question 35](#)) and checking the additional checkbox indicating that the voter is requesting to be added to the voluntary permanent absentee voter list. A voter will remain on this list and be automatically sent a mailed ballot for each statewide election conducted that includes the precinct in which the voter is eligible to vote until removed from this list. A voter may be removed from this list for reasons including, but not limited to, failing to return a mailed ballot in two consecutive elections, including at least one general election.⁶⁵

32. ELIGIBILITY: Do I need a specific reason to vote by mail?

No. Any eligible voter may vote absentee. No excuse is required.⁶⁶

33. APPLICATION DEADLINE: What is the deadline for requesting a mail-in ballot?

The county clerk must **receive** the application for an absentee ballot no later than 14 days prior to election day (**October 22, 2024**).⁶⁷

34. APPLICATION ASSISTANCE: Can someone assist me with filling out the application?

There is no law preventing a voter from being assisted with their absentee ballot application. The voter applying to vote absentee must sign the printed application or affirm via the electronic application that they are the person whose name and identifying information is being provided on the form and that all of the information is true and correct.⁶⁸

⁶⁴ <https://www.sos.nm.gov/voting-and-elections/voting-faqs/voting/>

⁶⁵ § 1-6-3.1 NMSA 1978; the complete list of reasons a voter shall be removed from the voluntary permanent absentee voter list is located in subsection (F).

⁶⁶ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

⁶⁷ § 1-6-5(A) NMSA 1978

⁶⁸ § 1-6-4(D) NMSA 1978

35. APPLICATION RETURN: How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?

A voter can request an absentee ballot by filling out an application and returning it to their local County Clerk. Applications can be obtained by:⁶⁹

- Filling out an application online [here](#)⁷⁰
- Contacting their [county clerk's office](#)⁷¹ in person or by phone, mail or email
- Downloading an [Absentee Ballot Application](#)⁷² and mailing it or hand delivering it to their [county clerk's office](#)⁷³

A third party can return a voter's application for an absentee ballot, but the county clerk will not accept such an application delivered by electronic means.⁷⁴

The county clerk must **receive** the application for an absentee ballot no later than 14 days prior to election day (**October 22, 2024**).⁷⁵

36. IDENTIFICATION: Are there identification requirements when I return my mail-in ballot application and/or ballot?

There are no identification requirements to return a mail-in ballot application or ballot. However, if a first-time voter did not provide ID when registering to vote via mail, the voter will be required to present appropriate identification when voting absentee (see [Question 5](#)).⁷⁶

When a voter receives the absentee ballot after submitting the required information, they will need to fill it out according to the directions that come with the absentee ballot.

37. RECEIVING MAIL BALLOT: Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?

Voters can request that the mailed ballot be mailed to an address other than their registered voter address. Unless the voter is a uniformed-service voter or an overseas voter (see [Question 11](#)), the County Clerk will then (i) send the mailed ballot to the address requested by the voter and (ii) send a notice of requested mailed ballot to the voter's registered address, informing the voter of the address to which the ballot was mailed along with the phone number of the County Clerk's office and the internet address of the voter web portal provided by the Secretary of State.⁷⁷

⁶⁹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

⁷⁰ <https://portal.sos.state.nm.us/OVR/WebPages/AbsenteeApplication.aspx>

⁷¹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

⁷² <https://api.realfile.rtsclients.com/PublicFiles/ee3072ab0d43456cb15a51f7d82c77a2/dbc22267-91b2-42c2-83a2-149d7c8b55ce/Absentee%20Ballot%20Paper%20Application.pdf>

⁷³ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

⁷⁴ § 1-6-4(B) NMSA 1978

⁷⁵ § 1-6-5(A) NMSA 1978

⁷⁶ The identification requirement for first-time voters who did not provide ID when registering to vote via mail is located at Section 1-6-4(F) NMSA 1978

⁷⁷ § 1-6-5(G) NMSA 1978

38. MISSED THE APPLICATION DEADLINE: What if I have not requested a mail-in ballot by the deadline?

If a voter fails to request an absentee ballot by the deadline and does not qualify for an emergency ballot (see [Question 52](#)), they may only vote IN-PERSON, either during early voting (see “How to Vote: In-Person Early Voting” beginning with [Question 25](#)) or on Election Day (see “How to Vote: Election Day” beginning with [Question 15](#)).

39. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my application and/or mail-in ballot?

To check the status of an absentee ballot application and/or ballot, a voter can go [here](#)⁷⁸ or contact their [county clerk’s office](#).⁷⁹

NOTE: NM has implemented barcode tracking for absentee ballots which enables voters to track their ballot’s progress to their home and back to the clerk’s office using the SOS [website](#)⁸⁰

Ballots start getting mailed to voters 28 days before an election. If the county clerk received the application for an absentee ballot 23 or more days before the election, the county clerk must either mail the ballot or notice of rejection to the applicant as soon as practicable; provided that the ballot or a notice of rejection is sent not later than 22 days before the election. If the county clerk received the application for an absentee ballot within 22 days of election day, the county clerk must either mail the ballot or notice of rejection to the applicant within 24 hours after receipt of the voter’s application.⁸¹

If the voter has mailed their absentee ballot but it has not yet been received by Election Day, the voter has the option of going to a polling place and casting a ballot. The voter will need to sign an affidavit canceling the mailed ballot already submitted.⁸²

40. APPLICATION OR BALLOT REJECTED: I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?

If the application was rejected, a notification with the reason why the application was rejected will be sent to the voter as soon as practicable (and if the county clerk received the application for an absentee ballot within 22 days of election day, such notification will be sent within 24 hours of receipt of the application).⁸³ This notice will contain instructions for how to rectify the issue. If an application is rejected because it was not timely received, the notice will include a list of the early voting locations and election day polling places in the county.⁸⁴

Voters may receive a notice of rejection of their returned absentee ballot if the voter was a first-time voter who failed to provide the necessary identification (see [Question 36](#))⁸⁵ or if the voter’s signature is

⁷⁸ <https://voterportal.servis.sos.state.nm.us/WhereToVote.aspx?tab=AbsenteeTracker>

⁷⁹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

⁸⁰ <https://voterportal.servis.sos.state.nm.us/WhereToVote.aspx?tab=AbsenteeTracker>

⁸¹ § 1-6-5(F) NMSA 1978

⁸² § 1-6-16.1(A) NMSA 1978;

<https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

⁸³ § 1-6-5(F) NMSA 1978

⁸⁴ § 1-6-5(H) NMSA 1978

⁸⁵ § 1-6-10(E) NMSA 1978

missing or the last four digits of the voter's social security number are not provided or do not match.⁸⁶ The notice will provide information regarding how the voter may provide the missing or corrected information. Voters may provide the missing or corrected information at any time until the Friday prior to the meeting of the state canvassing board (*i.e.*, the third Friday after a statewide election or special state election).⁸⁷

Voters should contact their local [county clerk's office](#)⁸⁸ if they have any additional questions.

41. **COMPLETING BALLOT:** How do I complete the mail-in ballot?

When a voter receives a mailed ballot, they will need to fill it out according to the directions that come with the mailed ballot. They should mark their ballot, place it in the official inner envelope and securely seal this envelope, place the official inner envelope inside the official mailing envelope and securely seal this envelope, then complete the form on the reverse of the official mailing envelope under the privacy flap and return the ballot.⁸⁹

42. **ASSISTANCE COMPLETING BALLOT:** Can someone assist me in filling out my ballot?

A voter may request assistance in voting only if the voter (i) is blind, (ii) is physically disabled, (iii) is unable to read or write, (iv) is a member of a language minority (*i.e.*, a person who is an American Indian or of Spanish heritage)⁹⁰ who has an inability to read well enough to vote, or (v) requires assistance in operating the voting system provided for voting access for people with disabilities.⁹¹ The voter must sign the ballot envelope and provide the last four digits of their social security number. If this information is missing or does not match the information on file the ballot may be rejected.⁹²

A voter has the right to be assisted by a person of their choice if they are disabled OR need help reading or marking the ballot, but they may not receive assistance from their employer or an agent of their employer, an officer or agent of their union, or a candidate on the ballot for this election.⁹³

43. **DEADLINE TO RETURN BALLOT:** What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?

All absentee ballots must be **received** by the County Clerk's Office or an Election Day polling location in the voter's county by 7:00 p.m. on Election Day (**November 5, 2024**), regardless of when the ballot was postmarked.⁹⁴

⁸⁶ § 1-6-10(D) NMSA 1978

⁸⁷ §§ 1-6-10(F), 1-12-25.2(C), 1-13-15(A) NMSA 1978

⁸⁸ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

⁸⁹ § 1-6-9(A) NMSA 1978

⁹⁰ § 1-2-19(A) NMSA 1978

⁹¹ § 1-12-12 NMSA 1978

⁹² § 1-6-10(D) NMSA 1978

⁹³ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-bill-of-rights/>

⁹⁴ § 1-6-10(A) NMSA 1978; *see also*

<https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

Voters may return their absentee ballot in person to the office of the county clerk or in a statewide election, to an alternate voting location, mobile alternate voting location, election day voting location, or other location where the receipt and storage of the official mailing ballot is under the supervision of an election official.⁹⁵

44. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a ballot (instead of mailing it)?

Absentee ballots may be dropped off at the voter's [county clerk's office](#)⁹⁶ or any polling location in the voter's county.⁹⁷

45. ASSISTANCE DROPPING OFF BALLOT: Can someone else drop off my completed ballot for me?

Only the voter, a caregiver to that voter or member of that voter's immediate family 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. "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.⁹⁸

46. LOST OR SPOILED BALLOT: What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?

If a voter did not receive their absentee ballot, or if there is an issue with their absentee ballot, they should contact the [county clerk's office](#)⁹⁹ **as soon as possible** to receive a replacement ballot or for a location where the voter may cast their ballot in-person. If it is less than 7 days before an election day, a voter cannot obtain a replacement mailed ballot¹⁰⁰ and may only vote in person, either during early voting (see "How to Vote: In-Person Early Voting" beginning with [Question 25](#)) or on Election Day (see "How to Vote: Election Day" beginning with [Question 15](#)). The voter will be asked to complete an affidavit swearing they did not and will not cast their mailed ballot and be permitted to vote normally in-person.¹⁰¹

47. NON-RECEIPT OF BALLOT: What if I requested a mail-in ballot but have not received it? What are my options for voting?

If a voter did not receive their absentee ballot, or if there is an issue with their absentee ballot, they should contact the [county clerk's office](#)¹⁰² **as soon as possible** to receive a replacement ballot or for a location where the voter may cast their ballot in-person. A voter shall be mailed a replacement absentee ballot if the voter has communicated with their County Clerk and requested a replacement mailed ballot be delivered to them, the voter has executed an affidavit, and the County Clerk has voided the mailed

⁹⁵ § 1-6-9(D) NMSA 1978

⁹⁶ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

⁹⁷ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

⁹⁸ § 1-6-10.1 NMSA 1978; <https://www.sos.nm.gov/voting-and-elections/voting-faqs/voting/>

⁹⁹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

¹⁰⁰ § 1-6-16(C) NMSA 1978

¹⁰¹ § 1-6-16 NMSA 1978; <https://www.sos.nm.gov/voting-and-elections/voting-faqs/absentee-voting-by-mail/>

¹⁰² <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

ballot previously issued to the voter.¹⁰³ A replacement ballot shall not be mailed to a voter less than 7 days before an election day.¹⁰⁴ Alternatively, a voter may vote in person after signing an affidavit of non-receipt of absentee ballot.¹⁰⁵

48. IN PERSON OPTION: What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

If the voter has not returned their absentee ballot the voter may instead vote in person. The voter will be asked to complete an affidavit swearing they did not and will not vote the mailed ballot that was issued.¹⁰⁶

If the voter has already mailed their absentee ballot but it has not yet been received by Election Day, the voter has the option of going to a polling place and casting a ballot. The voter will need to sign an affidavit canceling the mailed ballot already submitted.¹⁰⁷

HOW TO VOTE: ABSENTEE

(in this state defined as: “absentee” voting)

49. ELIGIBILITY: Am I eligible to request an absentee ballot?

In New Mexico, “absentee” voting means the ability of a voter to receive, fill out and return a ballot at a place and time other than a polling location on the day of the election.¹⁰⁸ This encompasses both early voting (see “How to Vote: In-Person Early Voting” beginning with [Question 25](#)) and mailed ballots (see “How to Vote: Vote By Mail” beginning with [Question 31](#)).

Any eligible voter may vote absentee. No excuse is required.¹⁰⁹

50. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?

For the early voting period, see [Question 27](#).

For the deadline to request a mailed ballot, see [Question 33](#).

51. IDENTIFICATION: Are there any identification requirements?

New Mexico doesn’t generally require voters to present identification, other than a first-time voter who did not provide ID when registering to vote via mail.

¹⁰³ § 1-6-16(B) NMSA 1978; <https://www.sos.nm.gov/voting-and-elections/voting-faqs/absentee-voting-by-mail/>

¹⁰⁴ § 1-6-16(C) NMSA 1978

¹⁰⁵ § 1-6-16.1(A) NMSA 1978; <https://www.sos.nm.gov/voting-and-elections/voting-faqs/absentee-voting-by-mail/>

¹⁰⁶ § 1-6-16(A) NMSA 1978; <https://www.sos.nm.gov/voting-and-elections/voting-faqs/absentee-voting-by-mail/>

¹⁰⁷ § 1-6-16.1(A) NMSA 1978;

<https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

¹⁰⁸ § 1-6-1.1(A) NMSA 1978

¹⁰⁹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/absentee-and-early-voting/>

For more information on ID for early voting, see [Question 29](#).

For more information on ID for mailed ballots, see [Question 36](#).

52. EMERGENCY: *Is there an emergency absentee ballot? If so, am I eligible?*

Yes, New Mexico has an emergency absentee ballot procedure.

If a voter contracts an unforeseen illness or disability resulting in confinement after the deadline to request a mailed ballot, then the voter can cast a provisional ballot via an authorized representative until the time the polls close on Election Day. The request for a provisional ballot must be in writing and signed by both the voter and a health care provider under penalty of perjury.¹¹⁰

Emergency response providers may benefit from the ability to apply for a mailed ballot and to return the marked ballot in the same manner as a uniformed-service voter or an overseas voter (see [Question 11](#)), but may not use the federal postcard application or the federal write-in absentee ballot. This applies if the emergency response provider is called away for an emergency on or after the 35 days before an election, for an emergency outside the voter's county of residence, and the president of the United States or the governor of a state has declared an emergency in the affected area.¹¹¹

53. APPLICATION RETURN: *Where and how can I return my absentee ballot application? Can someone return it for me?*

For the application return for a mailed ballot, see [Question 35](#).

54. STATUS OF APPLICATION AND/OR BALLOT: *How can I check the status of my absentee ballot application and/or absentee ballot return?*

For the status of a mailed ballot application and/or ballot, see [Question 39](#).

55. APPLICATION OR BALLOT REJECTED: *I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?*

For the rejection of a mailed ballot application and/or ballot, see [Question 40](#).

56. COMPLETING BALLOT: *How do I complete the absentee ballot?*

For the completion of a mailed ballot, see [Question 41](#).

57. ASSISTANCE COMPLETING BALLOT: *Can someone assist me filling out the ballot?*

For the completion of a mailed ballot, see [Question 42](#).

¹¹⁰ § 1-6-16.2 NMSA 1978; <https://www.sos.nm.gov/voting-and-elections/voters-with-disabilities-faqs/>

¹¹¹ § 1-6B-9 NMSA 1978

58. **BALLOT DEADLINES:** What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?

For the return of a mailed ballot, see [Question 43](#).

59. **BALLOT DROP OFF LOCATIONS:** Where can I drop off a ballot (instead of mailing it)?

For the return of a mailed ballot, see [Question 44](#).

60. **ASSISTANCE DROPPING OFF:** Can someone else drop off my completed ballot for me?

For the return of a mailed ballot, see [Question 45](#).

61. **LOST OR SPOILED:** What if I lost my absentee ballot or it is spoiled or I received an incorrect one?

For a lost or spoiled mailed ballot, see [Question 46](#).

62. **NON-RECEIPT OF BALLOT:** What if I requested an absentee ballot but have not received it? Can I do anything?

For non-receipt of a mailed ballot, see [Question 47](#).

63. **IN PERSON OPTION:** What if I requested an absentee ballot but I want to vote in person on Election Day?

See [Question 48](#).

64. **IN PERSON ABSENTEE:** Where do I vote in-person absentee? When can I do this?

See “How to Vote: In-Person Early Voting” beginning with [Question 25](#).

POLLING PLACE ISSUES

65. **POLLING PLACE NOT OPEN:** The polling place is not open. What should I do?

To report complaints or irregularities in the polling place, voters should call the Office of the Secretary of State at 1-800-477-3632.¹¹²

¹¹² <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-bill-of-rights/>

66. **LONG LINES:** There are long lines at the polling place. What should I do? What if the polls are closing while I'm in line?

Voters in New Mexico have the right to vote if they were in line before the polls close at 7:00 p.m.¹¹³ If there is an issue, the voter should remain in line and call the Secretary of State at 1-800-477-3642.¹¹⁴

67. **EQUIPMENT FAILURE:** What should I do if there are equipment problems at my precinct?

Report to a poll worker. New Mexico voters have the right to an emergency paper ballot if the voting machine is broken.¹¹⁵

68. **CAMPAIGNING:** What rules apply to people campaigning or “hanging around” my polling place? What counts as campaigning or electioneering? Can people approach me?

Electioneering includes displaying or distributing campaign materials and verbal or electronic solicitation of votes for a candidate or question. Electioneering too close to the polling place consists of any form of campaigning within 100 feet of (i) the building in which the polling place is located on election day when voting at a school, church or private residence; and (ii) the door through which voters may enter to vote at the office of the county clerk, an alternate voting location, a mobile voting site or any location used as a polling place on election day that is not a school, church or private residence.¹¹⁶

No person may “obstruct the polling place,” which consists of a person other than an “authorized individual” approaching nearer than 50 feet from the door through which voters may enter to vote at a polling place or willfully blocking access to a monitored secured container or the entrance to a polling place so as to prevent free ingress and egress. An “authorized individual” means a person who is not electioneering and who is generally there for a permitted election-related purpose (such as waiting to vote, giving assistance to a specific voter, or serving as a lawfully appointed watcher, challenger or election observer).¹¹⁷

69. **VOTER CONDUCT:** What am I prohibited from wearing or doing in a polling place? Can I take photos inside?

Electioneering within 100 feet of a polling place is prohibited (see [Question 68](#)). This includes wearing campaign buttons, clothing, accessories, or pins inside a polling place.¹¹⁸ There are no rules preventing a voter from taking photos inside the polling place, unless someone is taking photos or videos of voters to intimidate them.¹¹⁹ In 2018, a spokesperson for the Secretary of State’s Office said that voters may take

¹¹³ § 1-12-26 NMSA 1978;

<https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-bill-of-rights/>

¹¹⁴ <https://www.sos.state.nm.us/voting-and-elections/voter-information-portal/voter-bill-of-rights/>

¹¹⁵ <https://www.sos.state.nm.us/voting-and-elections/voter-information-portal/voter-bill-of-rights/>

¹¹⁶ § 1-20-16 NMSA 1978

¹¹⁷ § 1-20-17 NMSA 1978

¹¹⁸ § 1-20-16 NMSA 1978

¹¹⁹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/guidance-on-voter-intimidation-and-discriminatory-conduct/>

pictures of themselves and their ballots, as long as they do not disturb normal operations or violate the privacy of others.¹²⁰

70. **POLL WORKER CONDUCT:** What is a poll worker prohibited from wearing or doing in a polling place?

Electioneering within 100 feet of a polling place is prohibited (see [Question 68](#)). This includes wearing campaign buttons, clothing, accessories, or pins inside a polling place.¹²¹ It is also unlawful for any member of the election board to possess or use any alcoholic liquor while performing official duties on election day.¹²²

71. **INTIMIDATION:** Are there any other specific restrictions on conduct outside of a polling place? What should I do if I feel unsafe or uncomfortable outside the polling place?

Federal and state law prohibits voter intimidation and discriminatory conduct.¹²³ 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, whether it occurs outside the polling place or inside the polling place, is illegal. This may include aggressive behavior inside or outside the polling place, blocking the entrance to the polling place, disrupting voting lines inside or outside the polling place, and violence or the threat of violence. Individuals who witness voter intimidation or who are victims of voter intimidation may report the incident to the Secretary of State's Office, their County Clerk's Office and County District Attorney.¹²⁴

72. **CHALLENGE:** Someone is formally challenging my vote. What should I do?

A person's vote may be challenged for the following reasons:

- the person is not registered to vote;
- the person is listed among those persons to whom an absentee ballot was mailed;
- the person has already cast a ballot in that election;
- the person is improperly registered because they are not eligible to register; or
- in the case of a primary election, the person is not affiliated with a political party represented on the ballot.¹²⁵

If the challenge is unanimously affirmed by the presiding judge and the two election judges, the person shall be furnished a provisional ballot (see [Question 22](#) for more information on provisional ballots). Otherwise, the voter shall be allowed to vote as normal.

¹²⁰ Here's what each US state says about taking ballot selfies,

<https://www.cnn.com/2018/11/02/us/taking-selfies-when-voting-laws-in-states-trnd/index.html>

¹²¹ § 1-20-16 NMSA 1978

¹²² § 1-20-21 NMSA 1978

¹²³ New Mexico law prohibits conduct including intimidation (§ 1-20-14 NMSA 1978) and coercion of voters (§ 1-20-13.1 NMSA 1978).

¹²⁴ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/guidance-on-voter-intimidation-and-discriminatory-conduct/>

¹²⁵ § 1-12-20 NMSA 1978

73. **POLICE/MILITARY PRESENCE:** There are police/members of the military at the polling place. Is this okay? What should I do?

No member of the state police or other peace officer may interfere in any way with a member of the election board, a voter, or the conduct of the election, except to assist in maintaining order and orderly control of access when requested by the presiding judge or an election judge. Any member of the state police or other peace officer may enter a polling place upon request for the purpose of observing the conduct of the election.¹²⁶

Uniformed police officers, and poll watchers wearing official-seeming clothing in polling places, have been found to intimidate voters. The SOS recommends that counties balance the potentially intimidating effect of uniformed individuals in the polling place with the need to preserve peace.¹²⁷

The following peace officers may not serve as party challengers, watchers, or observers: a sheriff, deputy sheriff, marshal, deputy marshal or state or municipal police officer.¹²⁸

74. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?

A voter may wish to confirm their voter registration [online](#).¹²⁹ If they are not registered, they may register and vote using same day registration. See [Question 7](#).

75. **PROVISIONAL BALLOT:** I have been offered a provisional ballot. What should I do?

See [Question 22](#).

ACCESSIBILITY/ASSISTANCE

76. **EQUIPMENT ASSISTANCE:** I don't know how to use the voting equipment. Can I get help?

Please ask for assistance from someone working at the polling station. New Mexico voters have the right to ask for and receive instructions on how to operate the voting machine or mark a paper ballot.¹³⁰

¹²⁶ § 1-12-5 NMSA 1978

¹²⁷ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/guidance-on-voter-intimidation-and-discriminatory-conduct/>

¹²⁸ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/guidance-on-voter-intimidation-and-discriminatory-conduct/>

¹²⁹ <https://voterportal.servis.sos.state.nm.us/WhereToVote.aspx>

¹³⁰ <https://www.sos.state.nm.us/voting-and-elections/voter-information-portal/voter-bill-of-rights/>

77. PHYSICAL DISABILITY: I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

A voter may request assistance in voting if the voter is physically disabled.¹³¹ A voter has the right to be assisted by a person of their choice, but they may not receive assistance from their employer or an agent of their employer, an officer or agent of their union, or a candidate on the ballot for this election.¹³²

All polling locations are equipped with accessible voting equipment that is equipped for special accommodations for hearing, visual, physical, and other disabilities. Accessible voting equipment provides the opportunity to independently vote a ballot in complete privacy. Blind and visually impaired voters may also request an electronically fillable ballot to vote from the privacy of their own homes via an absentee ballot (see [Question 35](#)). For questions regarding resources available to serve voters with disabilities, voters should contact their [county clerk's office](#)¹³³ or email the Secretary of State at Elections@sos.nm.gov.¹³⁴

78. READING/LANGUAGE ASSISTANCE: I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

A voter may request assistance in voting only if the voter (i) is blind, (ii) is physically disabled, (iii) is unable to read or write, (iv) is a member of a language minority (*i.e.*, a person who is an American Indian or of Spanish heritage)¹³⁵ who has an inability to read well enough to vote, or (v) requires assistance in operating the voting system provided for voting access for people with disabilities.¹³⁶

A voter has the right to be assisted by a person of their choice if they are disabled OR need help reading or marking the ballot, but they may not receive assistance from their employer or an agent of their employer, an officer or agent of their union, or a candidate on the ballot for this election.¹³⁷

All polling locations are equipped with accessible voting equipment that is equipped for special accommodations for hearing, visual, physical, and other disabilities. Accessible voting equipment provides the opportunity to independently vote a ballot in complete privacy. Blind and visually impaired voters may also request an electronically fillable ballot to vote from the privacy of their own homes via an absentee ballot (see [Question 35](#)). For questions regarding resources available to serve voters with disabilities, voters should contact their [county clerk's office](#)¹³⁸ or email the Secretary of State at Elections@sos.nm.gov.¹³⁹

¹³¹ § 1-12-12 NMSA 1978

¹³² <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-bill-of-rights/>

¹³³ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

¹³⁴ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voters-with-disabilities/>

¹³⁵ § 1-2-19(A) NMSA 1978

¹³⁶ § 1-12-12 NMSA 1978

¹³⁷ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-bill-of-rights/>

¹³⁸ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

¹³⁹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voters-with-disabilities/>

79. LANGUAGE ACCESS: I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

A voter may request assistance in voting if the voter is a member of a language minority (*i.e.*, a person who is an American Indian or of Spanish heritage)¹⁴⁰ who has an inability to read well enough to vote.¹⁴¹ A voter has the right to be assisted by a person of their choice if they need help reading or marking the ballot, but they may not receive assistance from their employer or an agent of their employer, an officer or agent of their union, or a candidate on the ballot for this election.¹⁴² Certain polling places are also required to have an election translator available to provide oral assistance to assist language minority voters.¹⁴³ A voter should contact their [county clerk's office](#)¹⁴⁴ to confirm whether this assistance is available at their polling place.

80. CURBSIDE VOTING: Is curbside voting available? How do I request it?

Curbside voting is not available in New Mexico.¹⁴⁵

For additional resources for voters with disabilities, see Questions [77](#) and [78](#).

81. VOTER GUIDE: Can I bring a voting guide or reference notes with me into the voting booth?

There does not appear to be a prohibition against bringing materials into the voting booth, but if the voter wants to confirm, they should contact their [county clerk's office](#)¹⁴⁶ **OR** they can call the Secretary of State's office at 1-800-477-3632.

STATE SPECIFIC SUPPLEMENT

82. GUNS AT THE POLLING PLACE: Are guns allowed at the polling place?

No; New Mexico law prohibits carrying firearms within 100 feet of polling places and 50 feet of ballot receptacles. Exemptions are granted to law enforcement personnel and concealed carry permit holders.¹⁴⁷

¹⁴⁰ § 1-2-19(A) NMSA 1978

¹⁴¹ § 1-12-12 NMSA 1978

¹⁴² <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/voter-bill-of-rights/>

¹⁴³ § 1-2-19 NMSA 1978

¹⁴⁴ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

¹⁴⁵ <https://www.mapresearch.org/img/maps/citations-curbside-voting.pdf>

¹⁴⁶ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

¹⁴⁷ See

<https://www.governor.state.nm.us/2024/03/04/gov-lujan-grisham-strengthens-public-safety-by-signing-robust-legislation-into-law/>; <https://nmlegis.gov/Legislation/Legislation?chamber=S&legtype=B&legno=5&year=24>

83. NATIVE VOTING ISSUES: Are there any resources available relating to Native American voting issues?

New Mexico has a Native American Voting Taskforce that consults, advises and makes recommendations to the New Mexico Secretary of State on Native American voting issues.¹⁴⁸

The Native American Rights Fund (NARF) has put together a New Mexico Native voter guide, available [here](#).¹⁴⁹ Additional NARF resources are available [here](#).¹⁵⁰

84. DISRUPTIONS AT THE POLLING PLACE: How do I report inappropriate conduct or disruptions occurring at a polling location?

The New Mexico Secretary of State's Office is charged with investigating complaints related to elections and ethics under New Mexico law.¹⁵¹ If a voter believes their complaint falls under the authority of the New Mexico Secretary of State's Office, they may submit their complaint, in writing, to the New Mexico Secretary of State's Office, using the provided Complaint Form.¹⁵² The SOS accepts complaints in both original and electronic form, but they prefer email. The SOS does not process or investigate anonymous complaints.¹⁵³

85. QUESTIONS: Who should I contact if I have questions about any of the above?

If a voter has any questions about the above, they can contact their [county clerk's office](#)¹⁵⁴ **OR** they can call the Secretary of State's office at 1-800-477-3632.

¹⁴⁸<https://www.sos.nm.gov/voting-and-elections/native-american-election-information-program/native-american-voting-task-force/>

¹⁴⁹ <https://vote.narf.org/wp-content/uploads/2022/06/new-mexico-voter-guide-2022.pdf>

¹⁵⁰ <https://vote.narf.org/advocacy-actions/>

¹⁵¹ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/election-ethics-and-voter-complaints/>

¹⁵² <https://api.realfile.rtsclients.com/PublicFiles/ee3072ab0d43456cb15a51f7d82c77a2/99341469-8b31-484c-b98a-9155d2ef0244/Complaint%20Form.pdf>

¹⁵³ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/guidance-on-voter-intimidation-and-discriminatory-conduct/>

¹⁵⁴ <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>