



County of Harding

County Clerk

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NM SOS Election Handbook 2023

1-22- 10. Candidate qualification; challenges; ballots. A. The proper filing officer shall determine whether a candidate filing a declaration of candidacy is registered to vote within the area to be elected to represent and, if required for the office being sought, whether the candidate's nominating petition for that office has been filed with a number of signatures that is equal to or greater than the number required for that office. If the candidate is so qualified and no withdrawal of candidacy has been filed as provided in the Local Election Act, the proper filing officer shall place the candidate's name on the ballot for the position specified in the declaration of candidacy and notify each candidate in writing no later than the sixty- seventh day before the local election. B. Any voter may challenge the candidacy of any person seeking election at the regular local election for the reason that the person does not meet the requirements for the office sought by filing a petition in the district court within seven days after the day for filing a declaration of candidacy. The district court shall hear and render a decision on the matter within ten days after the filing of the petition. The decision of the district court may be appealed to the supreme court within five days after the decision is rendered. The supreme court shall hear and render a decision on the appeal forthwith. C. Ballots for the regular local election shall be prepared by the proper filing officer and printed in accordance with the provisions of Section 1- 10- 5 NMSA 1978. D. The printed ballot shall contain the name of each person who is a candidate and the position for which the person is a candidate. E. The ballot shall also contain all ballot questions that are to be submitted to the voters as certified by a local governing body to the county clerk in each county in which the local government is situate and shall conform to the requirements for ballot questions on the regular local election ballot as provided in Chapter 1, Article 16 NMSA 1978.

1-10-8-C. The ballot in a regular local election shall contain, when applicable, nonpartisan offices to be voted on in the following order: (1) municipal, with elective executive officers listed first, governing board members listed second and judicial officers listed third; (2) board of education of a school district; (3) community college, branch community college, technical and vocational institute district or learning center district; and (4) special districts listed in order by voting population of each special district, with the most populous listed first and the least populous listed last.

1-10-8-E. When multiple positions for the same nondistricted, nonjudicial office are to be elected on the same ballot and the qualifications for each position are the same, the nondistricted, nonjudicial district shall be elected at large in a single contest on the ballot in which voters shall be given the instruction to "vote for no more than X". If two or more positions for the same office are to be elected to represent the same area but with terms of different lengths of time, the candidate receiving the highest number of votes shall be elected to the position with the longest term length, and the candidate receiving the next highest number of votes shall be elected to the position with the next longest term length, with additional candidates elected to positions accordingly.