

1 by any court of competent jurisdiction, such decision shall not affect the
2 validity of the remaining provisions of this ordinance. The Council hereby
3 declares that it would have passed this ordinance and each section,
4 paragraph, sentence, clause, word or phrase thereof irrespective of any
5 provision being declared unconstitutional or otherwise invalid.

6 SECTION 3. COMPILATION. Section 1 of this ordinance shall amend, be
7 incorporated in and made part of the Albuquerque City Charter.

8 SECTION 4. EFFECTIVE DATE. This ordinance shall take effect ten days
9 following publication by title and general summary.

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CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

April 13, 2021

TO: Cynthia Borrego, President, City Council

FROM: Timothy M. Keller, Mayor

SUBJECT: Repeal of Voter Identification Provision

In November of 2018, the City of Albuquerque opted into the Local Election Act. Under this State Statute, local elections in Albuquerque would be managed by the Bernalillo County Clerk's Office. Although the conduct of the election is now managed by the Bernalillo County Clerk, there are still various provisions in our ordinances and charter regarding the conduct of elections including a provision requiring voters to show photo identification at the time of voting. State law does not require voters to present photographic identification but the City Charter indicates such identification is required. Repealing the voter identification requirement would clarify for voters that this is no longer a requirement for voting in regular local elections in the City of Albuquerque.

REPEAL OF VOTER IDENTIFICATION PROVISION

Approved:

Date 4/26/21

Sarita Nair
Chief Administrative Officer

Approved as to Legal Form:

DocuSigned by:
Esteban A. Aguilar, Jr. 4/19/2021 | 11:47 AM MDT
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Esteban A. Aguilar, Jr. Date
City Attorney

Recommended:

DocuSigned by:
Ethan Watson
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4/19/2021 | 10:45 AM PDT

Ethan Watson
City Clerk

Date

Cover Analysis

1. **What is it?** A repeal of the Voter ID provision in the Election Code.
2. **What will this piece of legislation do?** This legislation will remove the Voter ID provision in the Election Code.
3. **Why is this project needed?** Since 2018, the City of Albuquerque has been opted into the Local Election Act and elections have been managed by the Bernalillo County Clerk's Office. Under the Local Election Act, voters are not required to show ID to vote. Because this provision still exists in the City Code, however, it has caused confusion for voters. Removing this provision will clarify the law for voters in advance of the November, 2021 election.
4. **How much will it cost and what is the funding source?** N/A
5. **Is there a revenue source associated with this contract? If so, what level of income is projected?** N/A
6. **What will happen if the project is not approved?** This piece of legislation is to provide consistent information to voters.
7. **Is this service already provided by another entity?** No.