CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

COUNCIL BILL NO. O-21-61 ENACTMENT NO.						
SPONSORED BY: Klarissa J. Peña and Isaac Benton, by request						
	1	ORDINANCE				
	2	AMENDING THE CITY OF ALBUQUERQUE CHARTER, ARTICLE XIII;				
	3	REPEALING VOTER ID REQUIREMENTS FOR MUNICIPAL ELECTIONS.				
	4	WHEREAS, on July 1, 2018, the Local Election Act went into effect as				
	5	Chapter 1, Article 22, NMSA 1978 establishing the Regular Local Election, a				
	6	consolidated election day for non-partisan local government bodies, on the				
	7	first Tuesday after the first Monday in November of each off-numbered year;				
	8	and				
	9	WHEREAS, the Local Election Act does not require a photo identification of				
	10	the voter in order to cast a vote in a Regular Local Election per Section 1-1-24				
on o	11	NMSA 1978; and				
<u>ıı]</u> - New - Deletion	12	WHEREAS, the Administration directed the City Clerk to transmit				
	13	legislation to the Albuquerque City Council to opt into the Local Election Act,				
rial (Figure 1)	14	rendering the City of Albuquerque's Voter ID requirement unnecessary; and				
Mate Vare	15	WHEREAS, on November 19, 2019 the Albuquerque City Council approved,				
ored gh A	16	by a unanimous vote, O-18-39 to opt-in to the Local Election Act to hold the				
Bracketed/Underscored Material - New Bracketed/Strikethrough Material - Deleti	17	City of Albuquerque Regular Local Election in accordance with the Local				
	18	Election Act; and				
	19	WHEREAS, the Mayor signed the legislation on December 5, 2018, opting				
	20	into the Local Action Act.				
Bra 8	21	BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF				
<u> </u>	22	ALBUQUERQUE:				
	23	SECTION 1. The City hereby repeals Article XIII, Section 14 of the City				
	24	Charter in its entirety.				
	25	SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, word or				
	26	phrase of this ordinance is for any reason held to be invalid, or unenforceable				

	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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by any court of competent jurisdiction, such decision shall not affect the



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:	Approved as to Legal Form:	Approved as to Legal Form:		
Sarita Nair Date Chief Administrative Officer	Docusigned by: Esteban A. Aqvil.4/19/2021	11:47 AM MDT		

Recommended:

DocuSigned by: 49D7E50AAABD429

4/19/2021 | 10:45 AM PDT

Ethan Watson

Date

City Clerk

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.