

# CITY of ALBUQUERQUE

## TWENTY SIXTH COUNCIL

COUNCIL BILL NO. P-24-1 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Dan Lewis and Klarissa J. Peña

1 CHARTER AMENDMENT PROPOSAL  
2 ADOPTING A PROPOSITION TO BE SENT TO THE VOTERS AT THE 2024  
3 GENERAL ELECTION, PROPOSING TO AMEND ARTICLE II OF THE CHARTER  
4 OF THE CITY OF ALBUQUERQUE REGARDING MINIMUM VOTES FOR  
5 ELECTED OFFICES AND RUNOFF ELECTIONS

6 WHEREAS, Pursuant to Article VI of the Albuquerque City Charter,  
7 amendments to the Charter may be proposed by the Council and must be  
8 approved by a vote of a majority of all Councilors plus one.

9 BE IT PROPOSED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE  
10 CITY OF ALBUQUERQUE:

11 SECTION 1. The City Clerk shall place the summary, title, and text of the  
12 following proposition on the ballot of the 2024 General Election, and City of  
13 Albuquerque voters shall be permitted to vote “for” or “against”:

### 14 SUMMARY

15 Proposing to amend the City Charter to modify the minimum votes required  
16 for elected offices and runoff elections.

### 17 PROPOSITION

18 Proposing to amend the City Charter of the City of Albuquerque as follows:  
19 “ARTICLE II. ELECTIONS.

20 Section 7. ~~[FIFTY]~~ [FORTY] PERCENT MINIMUM VOTE.

21 Those persons who are candidates for Mayor or ~~[Councilor]~~ [Councilor]  
22 and receive the largest number of votes cast for the office in question are  
23 elected, provided the number of votes equals or exceeds ~~[50%]~~ [40%] of the  
24 total number of votes cast for the office.

25 Section 8. RUNOFF ELECTIONS.

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1 If no candidate receives [50%] [40%] of the votes cast for the particular  
2 office in question, a runoff election shall be held within forty-five days after  
3 certification of the results of the election in question as now provided by law  
4 and as amended and supplemented from time to time. Unless otherwise  
5 specified in this Charter, the two candidates who receive the highest number  
6 of votes cast for the office in question shall automatically become the  
7 candidates at the runoff election and the filing of declarations of candidacy is  
8 dispensed with.

9 SECTION 2. TIME OF FILING WITH THE CITY CLERK. The Director of City  
10 Council Services, or their designee, shall file this Charter Amendment  
11 Proposal with the City Clerk upon its final passage.

12 SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, word, or  
13 phrase of this proposition is for any reason held to be invalid or unenforceable  
14 by any court of competent jurisdiction, such decision shall not affect the  
15 validity of the remaining provisions of this proposition. The Council hereby  
16 declares that it would have passed this proposition and each section,  
17 paragraph, sentence, clause, word, or phrase thereof irrespective of any  
18 provision being declared unconstitutional or otherwise invalid.

19 SECTION 4. EFFECTIVE DATE. This proposition is effective immediately.  
20 The Charter Amendment described in SECTION 1 of this proposition shall take  
21 effect on January 1, 2025, so long as certified as approved by the voters.

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