

NOTICE OF PROPOSED RULEMAKING

The Office of the New Mexico Secretary of State (“Office”) hereby gives notice that the Office will conduct a public hearing on the described rules below.

A public hearing will be held on September 5 at 9:00 am at the State Land Office, 310 Old Santa Fe Trail, Santa Fe NM 87504. Attendees cannot park in the State Land Office parking lot, but must park at the PERA lot, one block east of the State Land Office. The public hearing allows members of the public an opportunity to submit data, testimony, and arguments in person on proposed rule changes to 1.10.13 NMAC, as well as changes to 1.10.23 NMAC and 1.10.37 NMAC and also a new rule, 1.10.38 NMAC, for which separate notices are being published. All comments will be recorded by a court reporter.

Authority: Section 1-2-1 NMSA 1978; Sections 1-19-25 through 1-19-37 NMSA 1978

1.10.13 NMAC Campaign Finance

Purpose: The purpose of this rulemaking to clarify processes for candidates desiring to register a new and different candidate campaign committee in the state’s Campaign Finance Information System (CFIS) for the purposes of seeking another elected office. Further amendments make clear procedures for closing an existing campaign committee upon death of a candidate.

Summary of Full Text: Proposed amendments to 1.10.13.8 NMAC clarify that a candidate shall expend all funds in accordance with the Campaign Reporting Act or transfer any remaining funds from an old campaign committee to a new campaign committee and file a final report to close the old campaign committee before the registration form is accepted by the secretary of state unless the candidate is seeking public financing and must keep a previous campaign account open and separated. Amendments to 1.10.13.9 NMAC requires the Secretary of State to mark the account in CFIS as “deceased” upon receipt or discovery of an obituary or death certificate. The campaign committee’s treasurer shall then be permitted to report any outstanding transactions, expend any remaining funds in accordance with the Campaign Reporting Act, and close the account.

Details for Obtaining a Copy of Rule and Submitting Oral or Written Comments: Copies of the proposed rule are available on the Office’s website at www.sos.nm.gov or can be obtained from the Elections Bureau & Ethics Division by calling (505) 827-3600 or emailing lindsey.bachman@sos.nm.gov. The proposed rule is also available on the New Mexico Sunshine Portal. Interested individuals may provide comments at the public hearing. Before the public hearing, written comments may be sent to Lindsey Bachman, Director of Legislative and Executive Affairs, via email at lindsey.bachman@sos.nm.gov, fax 505-827-3611, or by regular mail at Attn: Lindsey Bachman – proposed rule, The Office of the New Mexico Secretary of State, 325 Don Gaspar, Suite 300, Santa Fe, NM 87501. The deadline to receive written comment is September 4, 2025. All written public comments will be posted on the website throughout the written comment period at: www.sos.nm.gov.

Any person with a disability who needs a reader, amplifier, qualified sign language interpreter, or auxiliary aid or service to attend or participate in the hearing should contact (505) 827-3600 or email lindsey.bachman@sos.nm.gov (5) business days prior to the hearing.