

PETITION FOR REFERENDUM

To the Honorable Maggie Toulouse Oliver, secretary of state

We, the undersigned, qualified electors of Otero county, New Mexico, who disapprove Laws 2023, Chapter 11, of New Mexico, approved 16th day of March, 2023, entitled 'An Act RELATING TO HEALTH; PROTECTING ACCESS TO REPRODUCTIVE AND GENDER-AFFIRMING HEALTH CARE; PROVIDING FOR ENFORCEMENT; IMPOSING PENALTIES; PRESCRIBING RELIEF,' respectfully request by this our petition that it be referred to the people of New Mexico, to the end that the same may be approved or rejected by vote of the qualified electors of the state at the next regular general election to be held on the 5TH day of November, 2024; and each of us for himself says: I am a qualified elector of Otero county, New Mexico, and my residence, post-office address and voting precinct are correctly written after my name.

<u>NAME</u>	<u>RESIDENCE</u>	<u>POST-OFFICE</u>	<u>VOTING PRECINCT</u>

Instructions to Persons Who Solicit Signatures and to Signers of the Petition

Pursuant to Section 1-17-5 NMSA1978 the Attorney General is required to advise you of the following: Article IV, Section 1 of the Constitution of the state of New Mexico provides that “[T]he people reserve the power to disapprove, suspend and annul any law enacted by the legislature, except general appropriation laws; laws providing for the preservation of the public peace, health or safety; for the payment of the public debt or interest thereon, or the creation or funding of the same, except as in this constitution otherwise provided; for the maintenance of the public schools or state institutions, and local or special laws. Petitions disapproving any law other than those above excepted, enacted at the last preceding session of the legislature, shall be filed with the secretary of state not less than four months prior to the next general election. Such petitions shall be signed by not less than ten per centum of the qualified electors of each of three-fourths of the counties and in the aggregate by not less than ten per centum of the qualified electors of the state, as shown by the total number of votes cast at the last preceding general election. The question of the approval or rejection of such law shall be submitted by the secretary of state to the electorate at the next general election; and if a majority of the legal votes cast thereon, and not less than forty per centum of the total number of legal votes cast at such general election, be cast for the rejection of such law, it shall be annulled and thereby repealed with the same effect as if the legislature had then repealed it, and such repeal shall revive any law repealed by the act so annulled; otherwise, it shall remain in force unless subsequently repealed by the legislature. If such petition or petitions be signed by not less than twenty-five per centum of the qualified electors under each of the foregoing conditions, and be filed with the secretary of state within ninety days after the adjournment of the session of the legislature at which such law was enacted, the operation thereof shall be thereupon suspended and the question of its approval or rejection shall be likewise submitted to a vote at the next ensuing general election. If a majority of the votes cast thereon and not less than forty per centum of the total number of votes cast at such general election be cast for its rejection, it shall be thereby annulled; otherwise, it shall go into effect upon publication of the certificate of the secretary of state declaring the result of the vote thereon. It shall be a felony for any person to sign any such petition with any name other than his own, or to sign his name more than once for the same measure, or to sign such petition when he is not a qualified elector in the county specified in such petition; provided, that nothing herein shall be construed to prohibit the writing thereon of the name of any person who cannot write, and who signs the same with his mark. The legislature shall enact laws necessary for the effective exercise of the power hereby reserved.”

Section 1-17-4 NMSA 1978 provides penalties for violations of law pertaining to referendum petitions: It is a fourth degree felony for any person, on a petition for referendum, to: A. sign any name other than his own, except to write thereon the name of a person who cannot write and who signs his name with his mark; B. sign his name more than once on a petition on the same law; C. sign his name when he is not a qualified elector in the county specified in the petition; or D. knowingly misrepresent the purpose and effect of the petition or law thereby affected, for the purpose of causing anyone to sign the petition in reliance upon such misrepresentation.

Section 1-17-3 NMSA 1978 mandates that every person who solicits signatures to any petition for referendum shall present a full and correct copy of the law on which the referendum is sought to the person whose signature is solicited. Persons who solicit signatures on a petition must complete the required certificate that appears on the reverse side of each page of the referendum petition.

Section 1-17-7 NMSA 1978 provides penalties for false certification of referendum petitions: Falsely certifying to statements contained in the certificate required of persons soliciting signatures on a referendum petition is a fourth degree felony.

STATE OF NEW MEXICO

COUNTY OF OTERO

I, _____, do hereby certify that the signatures appearing on the front hereof were signed in my presence; that to the best of my knowledge and belief each such signature is genuine; and that the person so signing is a qualified elector in the county named on this page.

(signature of person soliciting signatures for petition)

(post-office)