

**GUIDELINES FOR DECLARATION OF CANDIDACY FOR MUNICIPAL OFFICE**

**City of Aztec Regular Municipal Election**

**March 4, 2014**

**I. DECLARATION OF CANDIDACY - 3-8-27A-F**

(A) **Filing Day - January 7, 2014**

(B) On this date between the hours of 8:00 a.m. and 5:00 p.m. a candidate shall personally file with the City Clerk, 201 W. Chaco, the following documents required by law in order to cause a person to be certified as a candidate:

1. A declaration of candidacy; and
2. A certified copy of the candidate's current affidavit of voter registration on file with the county Clerk which has been certified by the office of the County Clerk on a date not earlier than the adoption of the election resolution (November 26, 2013)

(C) All the candidates' affidavits of voter registration must show their address as a street address and not as a post office box.

(D) **January 7, 2014** between 8:00 am and 5:00 pm is the **only** date and time on which a person may file to become a candidate for municipal office unless the person files to be a write-in candidate.

The Clerk shall provide a form for the declaration of candidacy and shall accept only those declarations which contain:

1. The identical name and identical resident street address as shown on the affidavit of registration of the candidate submitted with the declaration of candidacy.
2. The office and term to which the candidate seeks election and district designation, if appropriate.
3. A statement that the candidate is eligible and legally qualified to hold the office for which they are filing.
4. A statement that the candidate has not been convicted of a felony or, if the candidate has been convicted of a felony, a statement that the candidate's elective franchise has been restored and a pardon or a certificate has been granted by the governor restoring full rights of citizenship.
5. A statement that the candidate or the candidate's authorized representative shall contact the city clerk's office during normal business hours on **January 9, 2014** to ascertain whether the city clerk has certified the declaration of candidacy as valid.
6. Information on how the candidate or authorized representative can be reached for the purpose of giving notice.
7. A statement that the declaration of candidacy is an affidavit under oath and that any false statement knowingly made therein constitutes a fourth degree felony under the laws of New Mexico.
8. The notarized signature of the candidate on the declaration of candidacy.

If the person desiring to be a candidate cannot personally appear at the office of the City Clerk on **January 7, 2014** to file the appropriate documents to declare candidacy, a person acting solely on the candidate's behalf may, by written affidavit signed by the candidate and notarized, file in the office of the City Clerk all documents required by law in order to cause a person to be certified as a candidate.

Miscellaneous:

1. A person may file only one declaration of candidacy and may not declare for more than one municipal elected office.
2. Once filed, the declaration of candidacy is a public record.

## II. CERTIFICATION OF CANDIDACY AND DETERMINING BALLOT POSITION

### (A) January 8, 2014 - 3-8-27G

1. By 5:00 p.m. the City Clerk shall determine whether the declaration of candidacy shall be certified. In order to be certified as a candidate, the documents submitted to the City Clerk must prove that the individual is a qualified elector as defined in Section 3-1-2K and 3-8-2B NMSA 1978 and, if appropriate, that the individual resides in and is registered to vote in the municipal election district from which the individual seeks election.
2. In the event that an individual fails to submit to the City Clerk on candidate filing day the documents listed in the form and with the contents as required, then the City Clerk shall not certify that individual as a candidate for municipal office.

### (B) January 9, 2014 - 3-8-27H - By 9:00 a.m. the Clerk shall:

1. Post in the Clerk's office a list of the names of those individuals who have been certified as candidates.
2. Post the names of those individuals who have not been certified as candidates, along with the reasons therefore.
3. During normal business hours, the candidate or an authorized representative shall contact the City Clerk's office to ascertain whether the City Clerk has certified the declaration of candidacy as valid (3-8-27D(5)).

### (C) January 9, 2014 - Ballot Position: At 5:01 p.m. the City Clerk administers an impartial and fair drawing by lot, in the presence of the certified candidates or their authorized representatives who desire to be present, to determine the order the candidates' names shall appear on the ballot. The City Clerk shall draw for any candidate who fails to appear or send an authorized representative. (3-8-29A).

## III. WITHDRAWAL OF CANDIDACY

- (A) January 14, 2014 - 3-8-27I: - Not later than 5:00 p.m., a candidate for municipal office may file an affidavit on the form provided by the City Clerk in the office of the City Clerk stating that s/he is no longer a candidate for municipal office. The City Clerk shall not place on the ballot the name of any person who has filed an affidavit as provided for in this subsection.

## IV. WRITE-IN CANDIDACY - 3-8-27L

### (A) Filing Day - January 14, 2014:

1. On this date between the hours of 8:00 a.m. and 5:00 p.m. a write-in candidate shall personally file with the City Clerk a Declaration of Write-In Candidacy in the same manner as Declarations of Candidacy are filed, as set forth in paragraph I(D).
2. This is the only date and time on which a person may file to become a write-in candidate for municipal office.

## V. CERTIFICATION OF WRITE-IN CANDIDACY

- (A) **January 15, 2014 - 3-8-27L(3):** The City Clerk shall certify those individuals who have satisfied the requirements for declared write-in candidates.
- (B) City Clerk confirms with the printer on contract with the municipality and the County Clerk the names of all candidates and their positions on the ballot (3-8-27J).
- (C) **January 16, 2014 - 3-8-27L(4):** Not later than 9:00 a.m. the City Clerk shall in the office of the City Clerk:
  - 1. Post the names of those individuals who have been certified as declared write-in candidates.
  - 2. Post the names of those individuals who have not been certified as declared write-in candidates along with the reasons therefor.
  - 3. During normal business hours, the write-in candidate or an authorized representative shall contact the City Clerk's office to ascertain whether the City Clerk has certified the declaration of write-in candidacy as valid.

## VI. WITHDRAWAL OF WRITE-IN CANDIDACY

- (A) **January 28, 2014:** Not later than 5:00 p.m. a declared write-in candidate may file an affidavit that s/he is no longer a write-in candidate for municipal office (3-8-27L(5)). In the event that a declared write-in candidate files such an affidavit of withdrawal, any votes for such a candidate shall not be counted and canvassed.

## VII. CERTIFICATION OF VOTE TABULATOR MACHINES

- (A) Immediately upon receipt from the County Clerk of the notice of date, time and place of inspection and certification, the City Clerk shall post such notice in her office and attempt to contact the candidates using the information listed on the declaration of candidacy to give each candidate notice of the date, time and place of inspection and certification of the vote tabulator machines. (3-8-14D)

## VIII. APPOINTMENT OF CHALLENGER, WATCHER, AND ALTERNATES

- (A) **February 28, 2014 – 3-8-31B & C:** Deadline for candidates to file a petition for appointment of a challenger, watcher and alternates for each polling place. City Clerk verifies that proposed appointees are qualified to serve.