

**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.

The purpose of this hearing is to obtain public input on a new rule, Public Official Home Address Confidentiality, to be codified as Part 1.10.37 NMAC.

A public hearing will be held on May 26, 2023, from 9:00 am to 1:00 pm, at the State Land Office, 310 Old Santa Fe Trail, Santa Fe NM 87504. The public hearing allows members of the public an opportunity to submit data, testimony, and arguments in person on the proposed rule changes detailed below. All comments will be recorded by a court reporter and/or audio recording.

**Authority:** Section 1-2-1 NMSA 1978; Section 10-16A-9 NMSA 1978; A new section of the Election Code as passed by the 56th Legislature during its first session in Senate Bill 180.

**1.10.37 NMAC PUBLIC OFFICIAL HOME ADDRESS CONFIDENTIALITY**

**Purpose:** To establish procedures for the secretary of state and county clerks for the non-disclosure of home addresses for public officials and candidates on election and financial-related documents.

**Summary of Full Text:** 1.10.37.7 NMAC defines key terms like “election-related disclosures” and “financial-related disclosures.” 1.10.37.8 NMAC outlines uniform, effective procedure for public officials and candidates for the official designation of confidential home addresses. 1.10.37.9 NMAC provides for the preservation of original documents for instances of judicial review as now required by state statute.

**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](http://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](mailto: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](mailto:lindsey.bachman@sos.nm.gov), fax 505-827-8403, 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 May 25, 2023. All written public comments will be posted on the website throughout the written comment period at: [www.sos.nm.gov](http://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](mailto:lindsey.bachman@sos.nm.gov) (5) business days prior to the hearing.