

GUIDANCE FROM THE ALBUQUERQUE CITY CLERK FOR THE USE OF THE ELECTRONIC PETITION WEBSITE

PURPOSE: The City Clerk has established an online petition website (“the website”), for members of the public to sign a petition in support of Candidates seeking to qualify for the ballot. The purpose of this guidance is to provide guidelines for Candidates’ use of the website. All Candidates using the website must abide by the guidance herein and any amendments thereto.

AUTHORITY: Part F(6) of the City Clerk Regulations for the Election Code authorizes the City Clerk to adopt guidance for an electronic platform for the collection of petition signatures.

APPLICABILITY: This guidance applies to all Candidates for the office of Mayor or City Council who seek to use the website, and should be read in combination with the City Clerk Regulations for the Election Code.

EFFECTIVE DATE: This guidance shall be effective upon the approval and signature of the City Clerk. The City Clerk shall publish this guidance on the Office of the City Clerk website.

PART A: DEFINITIONS

All terms utilized herein shall have the same meaning as defined by the Election Code, unless the guidance specifically notes otherwise. This Part also contains new definitions and clarified definitions for terms contained within the Election Code.

Person: Any individual, cooperative association, club, corporation, company, firm, partnership, joint venture syndicate, profit or nonprofit organization, or other entity.

Petition Period: The timeframe in which a Candidate must receive petition signatures from registered City voters.

PART B: CANDIDATE INCLUSION ON THE WEBSITE

1. All Candidates who have signed the Use Agreement of the website, and who do not have any outstanding campaign finance compliance issues or fines with the Board of Ethics, will be included on the website, subject to the requirement that all candidates using the website must abide by the guidance herein and any amendments thereto.
2. Candidate names and photos will be included on the website.
 - a. The name listed must match the name listed on the Candidate’s voter registration at the time the Candidate requests official petitions from the City Clerk’s Office.
 - b. Candidates may submit one (1) photo of the Candidate to be used on the website. Photos must be submitted to elections@cabq.gov.

PART C: COLLECTION OF SIGNATURES WITH THE WEBSITE

1. Overview of Process:

- a. The website is the only allowable method for a Candidate to accept electronic petition signatures. Petition signatures may still be collected on the prescribed paper form from the City Clerk.
- b. To sign an electronic petition, the voter must provide information for the system to determine their eligibility to sign:
 - i. Voter's first and last name as they appear on the voter's registration;
 - ii. Voter's date of birth;
- c. If the person is verified as a registered voter, the system will populate a page where the voter can select from a list of Candidates they are eligible to sign a petition for based on their voter registration information. The voter only may sign the petition for Candidates for office in the district in which the voter is registered.
- d. The voter can select one Candidate from this list and move on to the signature page. If no list of Candidates populates for the voter, information will be made available to direct the voter to the Secretary of State's website where they can verify they are a registered voter in the City of Albuquerque, or get registered if they need to. They are also given an email to the City Clerk's Office to direct their questions.

2. Direct access of the website by voters:

- a. A Candidate and any person collecting signatures may provide voters with a direct link to the website, via electronic mail, social media, campaign website, or otherwise.
- b. This step will bypass the list of Candidates a voter may be eligible to sign a petition for and will only allow voters to sign a petition for the specific Candidate. If the voter is not a registered voter in the Candidate's district, they will not be able to sign the Candidate's petition.

3. In-person collection via the website:

- a. A Candidate and any person collecting petition signatures may present voters with a device that is connected to the website in-person, such as a smartphone or tablet with the website displayed.
- b. A person collecting petition signatures must allow the person providing a petition signature to complete the online process with only such assistance as the person signing specifically requests.

PART D: FRAUDULENT PETITION SIGNATURES

- 1. The Clerk's staff reserves the right to investigate any concerns that fraudulent petition signatures have been submitted. The staff may request investigative assistance from the Board of Ethics or City Attorney, or refer the matter for possible criminal prosecution. Fraudulent petition signatures must be rejected and may constitute violations of the Election Code.

PART E: TRAINING

1. Candidates are responsible for ensuring that their campaigns are familiar with and follow this guidance. This should include, at a minimum:
 - a. Training persons who will be collecting petition signatures; and
 - b. Responding appropriately when fraudulent petition signatures have been collected through investigating the extent of the error or fraud and taking remedial action to avoid risk of future error or fraud.

PART F: AMENDMENTS TO GUIDANCE

1. From time to time, this guidance may be amended. In the event of amendment, all Candidates on the website will be notified of the amendment and will be given a reasonable period for voluntary compliance with any changes made.
2. In the event that a Candidate does not voluntarily comply with amendments by the deadline set by the Clerk, the Candidate will be removed from the website.

Approved:



3/15/2021

Ethan Watson, City Clerk

Date

I, _____, hereby swear or affirm, under penalty of perjury under the laws of the State of New Mexico, to abide by the guidance for use of the contribution website.

Date