



## 2021 Candidate Guide

Office of the City Clerk  
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# 2021 Candidate Information Guide Revision History

Revision Number	Date	Updates
1.0		Original Publication Date

## About this Guide:

This publication has been prepared by the Office of the City Clerk of Albuquerque, New Mexico, to serve as a reference for candidates seeking municipal office in the 2021 regular local election. We recommend that even experienced candidates take time to review this guide as recent amendments to local and state laws have changed the way elections are managed in New Mexico.

This guide is intended as a reference on the election process and is not a legal authority. Despite our good faith efforts and multiple reviews, this guide may contain inadvertent errors. Please email [elections@cabq.gov](mailto:elections@cabq.gov) immediately if you notice any error. Also, please remember that this guide is not a substitute for legal research or for the advice of an attorney.

Copies of the New Mexico Election Code, the Local Election Act, and the City Charter can all be obtained electronically. It is important that users of this guide read it in conjunction with the laws referenced herein.

This guide is written specifically for City Council and Mayoral candidates for the 2021 regular local election. For candidates looking for information on any future election, we suggest emailing your questions to [elections@cabq.gov](mailto:elections@cabq.gov).

This guide will be updated as necessary. Please check back regularly to make sure you have the most recent version of the guide. The guide will be maintained on the main page of the City Clerk's election webpage at [www.cabq.gov/vote](http://www.cabq.gov/vote).

If you have any questions about the information in this guide or if you have questions regarding running for office that are not addressed in this guide, please feel free to call the City Clerk's office at: 505-924-3650 or email at [elections@cabq.gov](mailto:elections@cabq.gov).

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2021 Candidate Calendar:



## CANDIDATE CALENDAR FOR THE 2021 REGULAR LOCAL ELECTION

\*Calendar subject to change. Check back regularly for updates.\*

Date	Activity, Requirement or Deadline
Mon., Mar. 1	First day of Public Financing Exploratory Period for Mayoral Candidates (City Charter Article XVI, § 3(G)) Exploratory Period is from March 1 – April 16.
Mon., Mar. 1	<p>First day for Mayoral Candidates to submit Declaration of Intent to seek public financing. Council Candidates may file their intent to seek public financing at any point after March 1 until the Qualifying Period has closed.</p> <p>In order to File the Declaration of Intent, the applicant candidate must schedule an appointment with the City Clerk at least one day prior to filing. The Clerk will review the public finance process with the candidate and provide the Declaration of Intent for public financing.</p> <p><b>The Declaration of Intent shall specify that the candidate has not, within one year prior to the declaration, raised or expended any monies in excess of the pre- and post-Exploratory Period contribution limits with the intent or effect of campaigning for elected office. (City Charter Article XVI, § 4(E))</b></p>
Mon., Mar. 1	One-on-one meetings with the City Clerk and Mayoral Applicant Candidates by Appointment. The City Clerk will begin taking meetings by appointment at the beginning of the Exploratory Period and continue to take appointments through the Qualifying Period.
TBD – or via Zoom	<p>Mandatory Orientation Session with City Clerk and Auditor.</p> <p><b><u>Candidates may not circulate Petitions or collect Qualifying Contributions without meeting with the City Clerk to receive all necessary forms and information.</u></b> You are encouraged to bring your campaign manager and/or Treasurer with you. Candidates will receive instructions on collecting signatures and financial reporting compliance. This is a very important meeting.</p> <p>Candidates who are unable to attend the Orientation Session must schedule an appointment with the City Clerk prior to circulating petitions or collecting qualifying contributions.</p>

Date	Activity, Requirement or Deadline
Mon, April 12	<b>First Campaign Disclosure Statement Due.</b> First campaign disclosure statement due at the City Clerk's office by 5:00pm. (City Charter Article XIII, § 4)
Mon, April 12	Biannual Disclosure Statement due for elected officials reporting all contributions and expenditures made and contributions received on or before the first Monday in April and not previously reported. The online reporting statement must be filed (posted) no later than 5:00pm. (City Charter Article XII, § 4)  **In an election year, rather than filing biannual disclosure statements, reporting individuals who are candidates for office shall file campaign disclosure statements.
Fri., April 16	Last day of Public Financing Exploratory Period for Mayoral Candidates (City Charter Article XVI, § 3(G))
Sat., April 17	<b>First day of Public Financing Qualifying Period for Mayoral Candidates</b> (City Charter Article XVI, § 3(Q)) Qualifying Period is from April 17 – June 19.
Sat., April 17	<b>First day for Mayoral candidates seeking public financing to collect Signatures for Petitions.</b> Candidates must gather the signatures of 3000 voters registered within the City of Albuquerque. (City Charter Article II, § 4 and ROA 1994, § 2-4-13) Signature Period is from April 17 – June 19 (§ 2-4-13)
Tues., April 20	Weekly return of petitions and qualifying contributions. (ROA 1994, § 2-4-13 (C)) <b>Returns of petitions and qualifying contributions shall be made every subsequent Tuesday by noon, even when not noted on this calendar.</b>
Sun., April 25	First day of Public Financing Exploratory Period for Council Candidates (City Charter Article XVI, § 3(G)) <i>Exploratory Period is from April 25 – May 30.</i>
Sun., April 25	First day for Council Candidates to submit Declaration of Intent to seek public financing. Council Candidates may file their intent to seek public financing at any point after April 25 until the Qualifying Period has closed.  In order to File the Declaration of Intent, the applicant candidate must schedule an appointment with the City Clerk at least one day prior to filing. The Clerk will review the public finance process with the candidate and provide the Declaration of Intent for public financing.  <b>The Declaration of Intent shall specify that the candidate has not, within one year prior to the declaration, raised or expended any monies in excess of the pre- and post-Exploratory Period contribution limits with the intent or effect of campaigning for elected office. (City Charter Article XVI, § 4(E))</b>
Mon, May 10	<b>Second Campaign Disclosure Statement Due.</b> Second campaign disclosure statement due at the City Clerk's office by 5:00pm. (City Charter Article XIII §4)
Sun., May 30	Last day of Public Financing Exploratory Period for Council Candidates (City Charter Article XVI, § 3(G))

Date	Activity, Requirement or Deadline
Mon., May 31	<b>First day of Public Financing Qualifying Period for Council Candidates.</b> (City Charter Article XVI, § 3(Q)) Qualifying Period is from May 31 - July 5.
Mon., May 31	<b>First day for Council candidates seeking public financing to collect signatures for Petitions.</b> Candidates must gather the signatures of 500 voters registered within the district the candidate wishes to represent. (City Charter Article II, § 4 and ROA 1994, § 2-4-13) Signature Period for participating candidates is from May 31 – July 5 (§2-4-13)
Tue., June 8	Weekly return of petitions and qualifying contributions. (ROA 1994, § 2-4-13 (C)) <b>Returns of petitions and qualifying contributions shall be made every subsequent Tuesday by noon, even when not noted on this calendar.</b>
Tue., June 8	<b>First day for Mayoral candidates who are seeking private financing to collect signatures for Petitions.</b> Candidates must gather the signatures of 3000 voters registered within the City of Albuquerque. (City Charter Article II, § 4 and ROA 1994, § 2-4-13 ROA) Signature Period for privately financed candidates is from June 8 - August 10. (§ 2-4-13)
Mon., June 14	<b>Third Campaign Disclosure Statement Due.</b> Third campaign disclosure statement due at the City Clerk’s office by 5:00pm. (City Charter Article XIII, § 4)
Sat., June 19	Last day of Public Financing Qualifying Period for Mayoral Candidates (City Charter Article XVI, § 3(Q)) Qualifying Period is from April 17 – June 19.
Sat., June 19	<b>5:00pm.</b> Deadline for Mayoral Candidates seeking public financing to submit Petitions to the Office of the City Clerk containing the signatures of 3,000 registered voters in the City of Albuquerque. (City Charter Article II, § 4 and ROA 1994, § 2-4-13(B)-(C)). Final submission of qualifying contributions for Mayoral Candidates. (§2-4-13(B))
Sat., June 19	Deadline for Mayor Applicant Candidates to return unused Qualifying Contribution Receipt Books to the Office of the City Clerk. (2021 Regulations of the Albuquerque City Clerk for the OEEC)
Sat., June 19	<b>Declaration of Candidacy</b>  Deadline for Mayor Applicant Candidates to file their Declarations of Candidacy with the City Clerk. The City Clerk will submit petitions and Declaration to the County Clerk. The County Clerk shall notify the City Clerk within 3 days if candidate is qualified. (NMSA 1978, § 1-22-3.2(D)(2)).
Thurs., July 1	Elected Official’s Annual Financial Statement Due. (City Charter Article XII, § 5(d))
Mon., July 5	<b>5:00pm.</b> Deadline for Council Candidates seeking public financing to submit Petitions to the Office of the City Clerk containing the signatures of 500 registered voters in the district that the candidate wishes to represent. (City Charter Article II, § 4 and ROA 1994, § 2-4-13(B)-(C))
Mon., July 5	Last day of Public Financing Qualifying Period for Council Candidates. (City Charter Article XVI, § 3(Q))
Mon., July 5	Deadline for Council Applicant Candidates to submit their Application for Certification to the City Clerk.



Date	Activity, Requirement or Deadline
Mon., July 5	Deadline for Council Applicant Candidates to return unused Qualifying Contribution Receipt Books to the Office of the City Clerk. (2021 Regulations of the OEEC Part C4)
Mon., July 5	<p><b>Declaration of Candidacy</b></p> <p>Deadline for Council Applicant Candidates to file their Declarations of Candidacy with the City Clerk. The City Clerk will submit petitions and Declaration to the County Clerk. The County Clerk shall notify the City Clerk within 3 days if candidate is qualified. (NMSA 1978, § 1-22-3.2(D)(2)).</p>
Tue., July 6	<p><b>First day for Council candidates seeking private financing to collect signatures for Petitions.</b> Candidates must gather the signatures of 500 voters registered within the district the candidate wishes to represent. (City Charter Article II, § 4 and ROA 1994, § 2-4-13) Signature Period for privately financed candidates is from July 6 - August 10. (§ 2-4-13)</p>
Tue., July 6	City Clerk certifies Mayoral Applicant Candidates meeting the requirements of the Open and Ethical Elections Code as Participating Candidates. (City Charter Article XVI, § 7(B))
Tue., July 6	Following certification, the City Clerk distributes funds to Participating Mayoral Candidates. (City Charter Article XVI, § 12) The distribution is completed electronically between the City Treasurer and the candidate's financial institution. The banking process can take several business days to complete.
Mon., July 12	Deadline for Unopposed Participating Mayoral Candidates to return public financing funds to the City Clerk. (2021 Regulations of the OEEC, Part D § 7)
Mon., July 12	<b>Fourth Campaign Disclosure Statement Due.</b> Fourth campaign disclosure statement due at the City Clerk's office by 5:00pm. (City Charter Article XIII, § 4)
Sun., July 25	City Clerk certifies Council Applicant Candidates meeting the requirements of the Open and Ethical Elections Code as Participating Candidates. (City Charter Article XVI, § 7(B))
Sun., July 25	Following certification, the City Clerk distributes funds to Participating Council Candidates. (City Charter Article XVI, § 12) The distribution is completed electronically between the City Treasurer and the candidate's financial institution. The banking process can take several business days to complete.
Mon., July 26	Deadline for Unopposed Participating Council Candidates to return public financing funds to the City Clerk. (2021 Regulations of the OEEC, Part D § 7)
Mon., Aug. 9	<b>Fifth Campaign Disclosure Statement Due.</b> Fifth campaign disclosure statement due at the City Clerk's office by 5:00pm (City Charter Article XIII, § 4)
Tues., Aug. 10	<b>5:00pm.</b> Deadline for Mayoral and Council Candidates seeking private financing to submit Petitions to the Office of the City Clerk containing the signatures of 500 registered voters in the district that the candidate wishes to represent for Council Candidates, or the signatures of 3000 voters registered within the City of Albuquerque for Mayoral Candidates. (City Charter Article II, § 4 and ROA 1994, § 2-4-13(B)(C))
Tue., Aug 24	<p><b>Declaration of Candidacy</b></p> <p>Privately Financed Candidates must file their Declarations of Candidacy with the County Clerk between 9:00am. and 5:00pm. (NMSA 1978, § 1-22-7).</p>

Date	Activity, Requirement or Deadline
Tue., Aug 24	<b>Deadline for Candidates to File Organization and Income Disclosure Statement.</b> Candidates shall file with the City Clerk their disclosure statements reflecting the candidate's memberships and positions in professional organizations; their sources of income producing 5% or more of the candidate's total income; businesses relationships with the City; and real estate interests within Bernalillo County, exclusive of the candidate's residence. (City Charter Article XIII, § 3)
Tue., Aug 31	<b>5:00pm. Withdrawal of Candidacy</b> Last day for certified candidates to withdraw candidacy with the County Clerk (NMSA 1978, § 1-22-9)
Tue., Aug 31	<b>9:00am. to 5:00pm. Filing day for Write-in Candidates</b> Candidates must file with the County Clerk. (NMSA 1978, § 1-22-8.1)
Fri., Sept 3	First day candidates may display political signs. (ROA 1994, § 14-16-3-5(C)(3))
Mon., Sept 13	<b>Sixth Campaign Disclosure Statement Due.</b> Sixth campaign disclosure statement due at the City Clerk's office by 5:00pm. (City Charter Article XIII, § 4)
Tue, Sept 14	Deadline for Unopposed Participating Candidates to return public financing funds to the City Clerk. (2021 Regulations of the OEEC Part D § 6) Applies only to Participating Candidates whose opposing candidate was a write-in that withdrew.
Sat., Sept 18	County Clerk shall transmit ballots to federal qualified electors whose applications have been accepted up to and on this day. (NMSA 1978, § 1-6B-7(A)(D)) Uniformed and Overseas Citizens Absentee Voting Act is commonly referred to as UOCAVA- MOVE ACT (45 days before the election)-Must be done on this day regardless of weekend or holiday.
Mon, Oct. 4	Biannual Disclosure Statement due by 5:00pm for elected officials reporting all contributions and expenditures made and contributions received on or before the first Monday in October, and not previously reported. (City Charter Article XIII, §,4)  **In an election year, rather than filing biannual disclosure statements, reporting individuals who are candidates for office shall file campaign disclosure statements.
TBD	<b>Last day to register to vote, or update voter registration with County Clerk</b> (NMSA 1978, § 1-4-8(A)(3))
TBD	<b>Absentee Ballots.</b> First day for County Clerk to issue absentee ballots to voters whose applications have been approved. (NMSA 1978, § 1-6-5(E))  First Day for Absentee in-person voting at the County Clerk Annex. (NMSA 1978, § 1-6-5(F))
Mon., Oct 11	<b>Seventh Campaign Disclosure Statement Due.</b> Seventh campaign disclosure statement due at the City Clerk's office by 5:00pm. (City Charter Article XIII, § 4)
Mon., Oct 18	<b>Eighth Campaign Disclosure Statement Due.</b> Eighth campaign disclosure statement due at the City Clerk's office by 5:00pm. (City Charter Article XIII, § 4)
TBD	<b>Early Voting.</b> First day for in person early voting on voting machine at the City Clerk's Office and other early voting sites. (NMSA 1978, § 1-6-5.7(A))

<b>Date</b>	<b>Activity, Requirement or Deadline</b>
Mon., Oct 25	<b>Ninth Campaign Disclosure Statement Due.</b> Ninth campaign disclosure statement due at the City Clerk's office by 5:00pm (City Charter Article XIII, § 4)
Wed, Oct 27	<b>Notify Candidates of Mandatory meeting with Board of Ethics, scheduled for Friday, Nov 1st.</b> Candidates must appear before the Board of Ethics some time between noon on the Friday before the election and Election Day. This is a mandatory meeting and is usually scheduled at 4:00pm. Candidates shall receive a minimum of three days written notice of the meeting. (City Charter Article XIII, § 4 (i)3)
Fri, Oct 29	<b>Supplemental Financial Reports.</b> Any contribution or pledge to contribute \$500 or more shall be reported to the City Clerk within 24 hours. (City Charter Article XIII, § 4)
Sat., Oct 30	Last day for early voting and in-person absentee (NMSA 1978, § 1-6-5.7(A); NMSA 1978, § 1-6-5(F)).
Mon., Nov 1	<b>Tenth Campaign Disclosure Statement Due.</b> Tenth campaign disclosure statement due at the City Clerk's office by 5:00pm. (City Charter Article XIII, § 4)
TUES, NOV. 2	<b>ELECTION DAY Polls Open at 7:00am. and close at 7:00pm. (NMSA 1978, § 1-22-3(A))</b> <b>7:00 p.m. Polls Close. Any voter in line waiting to vote may vote. (NMSA 1978, § 1-12-26)</b>
Fri., Nov 12	<b>Political Signs</b> Last day to take down political signs, except for runoff candidates. (ROA 1994, § 14-16-3-5(C)(3))
Tues., Nov 16	<b>Return unspent Regular Election Public funds</b> Deadline for Participating Candidates to pay City Clerk all unspent or unencumbered funds received from the Open and Ethical Elections Fund and any Seed money from the regular election.  (City Charter Article XVI, § 8(C))
Thurs., Dec 2	<b>Eleventh Campaign Disclosure Statement Due.</b> Eleventh campaign disclosure statement due at the City Clerk's office by 5:00pm. (City Charter Article XIII, § 4)

\*This calendar will be updated online to reflect runoff dates should that become necessary.

## 2021 Important Dates:

### Mayoral Candidates

- Participating in Public Financing:
  - March 1 – First day candidate can submit a declaration of intent to seek public financing
  - March 1 – April 16 – Exploratory Period
  - March 1 – June 19 – Seed Money Period
  - April 17 – June 19 – Petition Signature Period
  - April 17 – June 19 – Qualifying Contribution Period
  - June 19 – Submit Declaration of Candidacy to City Clerk
- Privately Financed:
  - June 8 – August 10 – Petition Signature Period
  - August 24 – Submit Declaration of Candidacy to County Clerk

### Council Candidates

- Participating in Public Financing:
  - April 25 – First day candidate can submit a declaration of intent to seek public financing
  - April 25 – May 30 – Exploratory Period
  - April 25 – July 5 – Seed Money Period
  - May 31 – July 5 – Petition Signature Period
  - May 31 – July 5 – Qualifying Contribution Period
  - July 5 – Submit Declaration of Candidacy to City Clerk
- Privately Financed:
  - July 6 – August 10 – Petition Signature Period
  - August 24 – Submit Declaration of Candidacy to County Clerk

2021 Financial Reporting Calendar:



2021 Regular Local Election Financial Reporting Calendar

Statement 1:	Monday, April 12, by 5:00pm
Statement 2:	Monday, May 10, by 5:00pm
Statement 3:	Monday, June 14, by 5:00pm
Statement 4:	Monday, July 12, by 5:00pm
Statement 5:	Monday, August 9, by 5:00pm
Statement 6:	Monday, September 13, by 5:00pm
Statement 7:	Monday, October 11, by 5:00pm
Statement 8:	Monday, October 18, by 5:00pm
Statement 9:	Monday, October 25, by 5:00pm
Daily Supplementals: (Reporting items over \$500 threshold)	Friday, October 29, within 24 hours
Statement 10:	Monday, November 1, by 5:00pm
Statement 11:	Thursday, December 2, by 5:00pm

\*Recent updates to the 2019 Regulations for the Open and Ethical Elections Code have removed the additional reporting requirement of the Seed Money reports for publically financed candidates. Publically financed candidates are required to file financial disclosures on the schedule outlined above, but are not subject to any additional disclosures. (2021 City Clerk Regulations for the OEEC)

## Roles of City Clerk and County Clerk:

Due to recent changes in local and state laws, the roles of the City and County Clerk have shifted and have changed the way candidates conduct their campaign compared to the 2019 election cycle. Though we encourage you to read the Local Election Act, the Albuquerque City Charter, and the Administrative Rules, all of which can be found online, below we've highlighted the major roles of the City Clerk and the County Clerk as they pertain to a candidate for City Council and Mayor.

### 1. City Clerk:

- Optional one-on-one meetings prior to the Public Financing Exploratory Period to answer any questions you have.
- Mandatory Orientation Session with the financial reporting auditor prior to the Public Financing Qualifying Period to discuss financial reporting.
- Accepts the Declaration of Intent prior or during the Public Financing Qualifying Period for any candidate seeking public financing.
- Manages and oversees the Public Financing Qualifying Period and the collection of the \$5 contributions.
- Manages and verifies nominating petition signatures for qualification as a candidate.
- Manages the financial reporting for all candidates and committees.
- Accepts Board of Ethics complaints.
- Accepts requests for advisory opinions.
- Accepts declarations of candidacy for publicly financed candidates and submits to County Clerk on behalf of candidates.

### 2. County Clerk:

- Accepts Declaration of Candidacy.
- Accepts Withdrawal of Candidacy.
- Accepts Nominating Petitions, following signature verification by City Clerk.
- Determines ballot order of candidates.
- Administers all aspects of the election, including absentee ballots, polling locations, and canvass of the election.

## Eligibility Requirements:

New Mexico law outlines certain requirements for candidates to have their name printed on a ballot based upon the candidate's voter registration information. In order to become a candidate, the person's record of voter registration must show that the person is a qualified elector of the state, physically resides in the district in which the person is a candidate and was registered to vote in the district on the date the proclamation calling a local election is filed in the office of the Secretary of State.

By law, the Secretary of State's Election Proclamation is issued ninety (90) days before the election. Any changes to voter registration must be effective on the date of the Election Proclamation. Attempted changes to ballot name appearance at the time of candidate filing is NOT allowed.

Additionally, in order to appear on the ballot, the candidate must not have any outstanding campaign finance compliance issues or fines with the office of the City Clerk.

## Public Financing Exploratory Period:

The Exploratory Period is the time frame when candidates can submit their intent to seek public financing, and may begin collecting seed money and in-kind contributions.

### 1. Seed Money

Candidates seeking public financing may raise seed money during the exploratory period and the qualifying period, but not after. Candidates may accept no more than \$250 of seed money per person, and may donate no more than \$2,500 of seed money to their own campaign. Seed money may not exceed 20% of the applicable spending limit. The spending limits differ per Council district based on the number of voters in each district. That number is posted on the City Clerk's website. Any seed money raised will be deducted from the applicants Fund distribution. Any seed money raised in excess of the 20% limit will also be deducted from the Fund distribution and may also be a violation of the OEEC.

### 2. In-Kind Contributions

In-Kind Contributions are goods or services that are donated or provided to the campaign at no cost, or at a cost discount of 20% or more. In-kind contributions are subject to contribution limits to both publically financed and privately financed candidates.

Publically financed candidates may begin receiving in-kind contributions at the beginning of the exploratory period through the regular election or runoff election. The total in-kind contributions cannot exceed 10% of the spending limit (which is posted on the Clerk's website) and any individual in-kind contribution cannot exceed 5% of the annual salary for the office being sought.

**NOTE:** The information below is incomplete as the applicable 2021 salaries have not yet been determined as of the time of this writing. The City Clerk's Office expects to provide this number by March 1, 2021 and will be able to update the below shortly thereafter.

In 2021, the Mayor has an annual salary of \$XXX. For participating Mayoral candidates in the 2021 elections, the per person limit for in-kind contributions is \$XXX.

In 2021, each City Council seat up for election has an annual salary of \$XXX. For participating Council candidates in the 2021 City Council elections, the per person limit for in-kind contributions is \$XXX.

The aggregate total of in-kind contributions for candidates in each City Council district for the regular local election in 2021 are:

Mayor	\$XXX
District 1	\$XXX
District 3	\$XXX
District 5	\$XXX
District 7	\$XXX
District 9	\$XXX

In the event of a runoff election, new in-kind contribution limits will be provided by the Office of the City Clerk.

### 3. Expenditures

Publically financed candidates may only use seed money and in-kind contributions to make expenditures during the exploratory period.

## Petitions:

### 1. Minimum Number of Signatures:

To qualify as a Mayoral Candidate for the 2021 Regular Local Election, a person must submit to the City Clerk **3,000** verified signatures from registered voters in the City of Albuquerque. To qualify as a City Council Candidate for the 2021 Regular Local Election, a person must submit to the City Clerk **500** verified signatures from registered voters in their district.

### 2. Form Used:

The form used to collect petition signatures is outlined in New Mexico law (NMSA 1978, §§ 1-8-30, 1-8-50, and 1-8-65) and the form provided by the City Clerk is the only acceptable form. Candidates may make as many copies as necessary of the form. Petition forms must be on 8.5" x 11" normal weight copy paper and must be copied on only one side of the paper. Submitting previous versions of the petition form or alternative versions of the form is not allowable and will not be accepted. With or without a showing of fraud or a reasonable opportunity for fraud, a nominating petition shall be considered invalid if the required information is not listed on the petition before the petition is signed by a voter or if any of the required information is subsequently changed in any way. Do not scratch out, use white out, or otherwise alter the items filled in on the header of the petition form. The petition form is an electronically fillable form and all information at the top of the form must be completed before signatures are collected. Candidates not electronically filling the form must assure that forms are filled in with blue or black ink and are legible.

The City Clerk recommends that a candidate accurately fill in the required information and keep copies of the completed form to protect against candidacy challenges. State law requires the following information on all nominating petitions:



- The candidate’s name (as it appears on the candidate’s certificate of registration);
- The candidate’s address (as it appears on the candidate’s certificate of registration);
- The office the candidate seeks; and,
- The district, if any, of the office sought.

Because City of Albuquerque elections are non-partisan, candidates need not indicate their party affiliation on the nominating petitions.

### 3. Circulating Nominating Petitions

For candidates circulating petitions, it is extremely important that individuals assisting the candidate with collecting petition signatures are adequately trained and appropriately informed. Candidates, and the individuals assisting them, risk significant penalties for failing to follow the law regarding petitions. Specifically:

- A person knowingly falsifying any information on a nominating petition is guilty of falsifying an election document. (NMSA 1978, § 1-8-32). Falsifying an election document is a fourth-degree felony. (NMSA 1978, § 1-20-9(F)).
- It is a misdemeanor to knowingly circulate, present, or offer to present a nominating petition for the signature of a voter that does not contain the information specified under the law. (NMSA 1978, § 1-8-32(B)).
- Petitions submitted that are not in compliance with the law are not counted, which invalidates the signatures on those petitions and they therefore do not count towards the candidate’s required number of nominating signatures.

A person who signs a nominating petition shall sign only one petition for any given office. A person who signs a nominating petition shall indicate the person's registration address. If the person does not have a standard street address, the person may provide the mailing address as shown on the person's certificate of registration. A signature shall be counted on a nominating petition unless there is evidence presented that the person signing:

- failed to provide information required by the nominating petition;
- is not a voter of the state, district, county, or area to be represented by the office for which the person seeking the nomination is a candidate;
- has signed more than one petition for the same office, or has signed one petition more than once;
- is not the person whose name appears on the nominating petition.

Because City of Albuquerque elections are non-partisan, the party affiliation, or lack thereof, of the person signing is not a basis for rejecting a signature.

### 4. Submission of Nominating Petitions

Nominating petitions are submitted to the City Clerk for signature verification each Tuesday during the Nominating Petition period. The City Clerk’s staff will verify petition signatures

throughout the petition gathering period. Only signatures on original petition pages are counted. Copied, reproduced, or electronically stored petitions not collected through the City Clerk's website will not be counted by the City Clerk toward the number of required signatures. After all petition signatures have been verified by the City Clerk, candidates are responsible for submitting verified petition signatures along with their Declaration of Candidacy to the proper filing official on the required date noted in the "Important Dates" section.

Number of signatures: Individual petition pages may contain one (1) to twenty (20) signatures. The total number of petition forms must contain 500 valid signatures to qualify the candidate to appear on the ballot for a City Council office, and 3,000 valid signatures are required to qualify a candidate to appear on the ballot for the office of Mayor. Petitions with incomplete voter information are not counted. Each signature line requires the signature of the voter, the voter's name printed as registered, the address as registered, and the city or zip code. For example, if a petition contains 10 voter signatures, but 3 of those voters failed to provide the required information, those 3 signatures are not counted, but the remaining 7 are counted. No alterations may be made to submitted petitions. Additionally, once the petitions are submitted to the County Clerk, no person is permitted to revoke their signature. (NMSA 1978, § 1-8-34) Candidates are encouraged to make copies of their petitions for their own records prior to filing them with the appropriate filing officer. Copies will not be provided at the time of filing for office. When submitting petitions, candidates must submit all original petitions. (NMSA 1978, § 1-8-30(E))

## Qualifying Contributions:

Candidates seeking office as a publically financed candidate are required to collect \$5 qualifying contributions from voters registered in the district they are seeking to represent. (Albuquerque City Charter Article XVI, Section 5)

### 1. Number of Qualifying Contributions:

A candidate for City Council must obtain qualifying contributions from 1% of the registered voters in the district they seek to represent. A Mayoral Candidate must obtain qualifying contributions from 1% of registered voters in the City of Albuquerque. These exact numbers will be calculated and posted online a month prior to the beginning of each qualifying period.

### 2. Timeframe:

Mayoral candidates may collect qualifying contributions from April 17, 2021, through June 19, 2021.

City Council candidates may collect qualifying contributions from May 31, 2021, through July 5, 2021.

### 3. Qualifying Contribution Books:

The City Clerk will provide candidates with qualifying contribution books that contain receipts for contributions. The books are pre-printed, and the candidate must fill in their name and what district they are campaigning to represent. The books contain three pages for each receipt: the pink page is the contributor's receipt, the white original is for the City Clerk, and the yellow is the candidate's copy. Candidates must obtain books from the City Clerk and they, or their representative, must sign an Acknowledgement of Receipt for the number of books received. Candidates shall submit books back to the Clerk with original white pages intact. All books must be returned by the end of the Qualifying Period, though candidates should return completed books at the end of each week so that the Clerk's office can verify contributions on a rolling basis.

### 4. Qualifying Contribution Website:

All candidates who have filed a Declaration of Intent to Seek Public Financing, and who do not have any outstanding campaign finance compliance issues or fines with the Office of the City Clerk or Board of Ethics, will be included on the City Clerk's web-based application, the Clean Campaign Website. This website will allow candidates to accept electronic qualifying contributions. All candidates using the CCP must abide by the City Clerk's Guidance for the Clean Campaign Website, and any amendments thereto. The CCP is the only permitted method for a candidate to accept electronic qualifying contributions.

The CCP allows for automatic voter verification. Potential contributors will be asked to verify their voter registration and then will be directed to electronically contribute to a campaign. This will allow for additional means for donation, and will provide an accurate and almost instant tally of a candidate's number of verified qualifying donations. Because the site verifies a voter's registration prior to allowing for donation, it requires additional personal information that the receipt books do not. We encourage candidates to use both options.

### 5. Soliciting Qualifying Contributions:

Candidates may solicit qualifying contributions from all registered voters in the district the candidate seeks to represent. It is the candidate or candidate's representative's responsibility to ensure that the receipt books are filled out accurately, including a signature from the contributor. All the information on the receipt book can be filled out by someone other than the contributor, but the contributor must sign the receipt on their own. All \$5 contributions must be paid by the contributor. If any of the funds are provided by someone other than the contributor listed on the receipt, those contributions will be deemed fraudulent.

### 6. Contribution Reporting:

Candidates shall bring fully or partially completed receipt books to the City Clerk's office each Friday of the qualifying period. For each book submitted, a corresponding amount of \$5 contributions shall be attached to the book and submitted at the same time. The final submission of books and contributions shall be made on the last day of the qualifying period.

## 7. Verification of Contributions:

The Office of the City Clerk will verify each qualifying contribution to make sure the contribution counts toward the candidate's minimum number of contributions necessary to participate in the public financing program. The City Clerk staff will notify the candidate of the number of contributions accepted and rejected. In the event that candidates have contributions to report each week, the City Clerk staff will update candidates on the number of contributions accepted and rejected in a timely manner.

## 8. Certification for Public Financing:

The City Clerk will certify candidates who meet the requirements under the Open and Ethical Elections Code, and who submit an Application for Certification along with their final qualifying contribution by the final day of the qualifying period. To be certified to participate in the public financing program, candidates must meet the criteria listed in the City Charter Article XVI, Section 7(A) and 2021 Regulations for the Open and Ethical Elections Code, as well as have collected the minimum number of required qualifying contributions, and have complied with seed-money and in-kind contribution restrictions. Other restrictions that could disqualify a candidate are outlined in the 2021 OEEC Rules and Regulations. The City Clerk will notify a candidate of certification by email, and by posting a list of qualified candidates on the City Website.

## Financial Reporting Site:

The current financial reporting software is available through the City Clerk's website, or can be reached at: [campaignfinance.cabq.gov](http://campaignfinance.cabq.gov).

A candidate or their treasurer will need to create an account on the site, enter contact information for the campaign, and declare if the campaign will be publically financed or privately financed.

Contributions, expenditures, debts, etc., can be entered as unique entries, or can be maintained in an Excel document and uploaded on the day each financial report for a period is due. The financial reporting site has created an excel document that can be uploaded to the system. In order to use the excel document provided, rather than entering each item uniquely on the site, you will be required to use "codes" to distinguish different types of contributions and expenditures. These codes are outlined in the PDF document that explains in detail how to use the excel file. Both the excel file and the PDF explanation are available on the City Clerk's website after logging in, just below the link to log into the site. The PDF explanation sheet is included in the Forms section of this Guide as well. Please do not create your own Excel document to track these items. The site will not allow other Excel files to be uploaded.

Following each financial report submission, an independent auditor will review the financial reports and determine their sufficiency. If the auditor determines a financial report needs to be corrected, a letter

will be issued to the candidate detailing the problem and outlining the timeframe in which the candidate must correct the problem.

In addition to your financial reports submitted through the financial reporting website, the City Clerk also requires the submission of any images of campaign materials referenced on each financial report. Images must be submitted by the filing deadline for the financial report the campaign material is referenced in. Images of campaign materials may be submitted electronically by emailing [elections@cabq.gov](mailto:elections@cabq.gov) or hand delivering them to the City Clerk's office by the 5:00pm deadline.

Prior to the beginning of the Qualifying Period, the City Clerk and the independent auditor will have a mandatory orientation session for all candidates to discuss the financial reporting system and answer any questions candidates may have about this process. The City Clerk will update the 2021 Calendar to reflect the date for this orientation session once the date has been set.

Forms:



P.O. Box 1293  
 Albuquerque, NM 87103  
 Phone (505) 924-3650 Fax (505) 924-3660  
[www.cabq.gov/clerk](http://www.cabq.gov/clerk)

Ethan Watson, City Clerk

### Candidate Forms

FORM	REFERENCE	ELECTRONIC DUE DATE
Declaration of Intent	Charter: Article XVI, § 4	Anytime after the beginning of the Exploratory Period and before the end of the Qualifying Period.
Candidate Contact Sheet		To be submitted along with Declaration of Intent, or when candidate requests Petitions.
Notice of Weekly Nominating Petitions	Ordinance: ROA 1994, § 2-4-12	Every Tuesday during the Petition Period.
Application for Certification as a Participant Candidate	Charter: Article XVI, § 7	The last day of the Qualifying Period.
Candidate's Acknowledgement of Familiarity with Codes	Charter: Article XIII, § 7	Within three days of receipt of Candidate Guide.
Candidate's Campaign Bank Account Statement	Charter: Article XIII, § 4(b)1	Within three days of filing online campaign finance registration.
Sample Authorization Letter To Bank	Charter: Article XIII, § 4(b)3	Within three days of filing online campaign finance registration.
Candidate's Financial Disclosure Statement	Charter: Article XIII, § 3	Within two days of filing Declaration of Candidacy.
Acknowledgement of Electronic Reporting Training	Charter: Article XIII, § 4(j)1	Due on the date candidate or treasurer took campaign finance reporting training.
Campaign Financing Affidavit	Charter: Article XIII, § 4(c)2	
Agreement Regarding the Use of the Clean Campaign Website		Must be submitted before the City Clerk will add candidate to website.
Agreement Regarding the Use of the Electronic Petition Website		Must be submitted before the City Clerk will add candidate to website.

Notices:



Albuquerque, NM 87103  
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Ethan Watson, City Clerk

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### Candidate Notices

NOTICE	PAGE	ACTION NEEDED
Signature Requirement Notice	24	No Action Needed
Calendar/Important Dates	6/13	No Action Needed
Board of Ethics Rules and Regulations	Attachment A	No Action Needed
2021 Regulations of the Albuquerque City Clerk	Attachment B	No Action Needed

# NOTICE

To: All Mayoral and City Council Candidates

Pursuant to the Albuquerque City Charter, Article II, Section 4, candidates for Mayor are required to submit to the Office of the City Clerk the signatures of at least **Three Thousand (3,000)** registered voters residing in the City of Albuquerque. Candidates for City Council are required to submit at least **Five Hundred (500)** registered voters residing in the City Council District in which they are running.

The Petition Signature Periods are:

Mayoral Candidates Participating in Public Financing: April 17 – June 19  
Mayoral Candidates, Privately Financed: June 8 – August 10  
Council Candidates Participating in Public Financing: May 31 – July 5  
Council Candidates, Privately Financed: July 6 – August 10

\*See ROA 1994, § 2-4-13.

The Clerk will accept only those petitions in the form prescribed by the Office of the City Clerk. The Clerk will receive petitions, during regular business hours, from the campaign representative who will remain present in the Clerk's office while the petition pages are numbered.

Office of the City Clerk will not accept Petitions after 5:00 p.m. of the final day of the above reference petition period.



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Ethan Watson

City Clerk