



RE: SB 264 Election Rights & Troops at Elections – NMBC Opposes

Chair and Members of the Committee:

On behalf of the New Mexico Business Coalition (NMBC), I write in strong opposition to Senate Rules Committee Substitute for Senate Bill 264.

While SB 264 is presented as an election protection measure, its structure and language suggest a pre-emptive effort to prevent or obstruct federal election integrity standards that Congress is currently considering, including proposals such as the SAVE Act. Rather than working cooperatively with federal authorities to strengthen voter verification and election security, this bill appears designed to erect barriers and create criminal liability for actions taken under federal authority.

SB 264 broadly prohibits a person acting “under color of law” from ordering or bringing federal troops or armed personnel to polling locations except under extremely narrow circumstances. It also criminalizes attempts to “prescribe, fix or attempt to prescribe or fix the qualifications of voters” contrary to state law. Combined with sweeping felony penalties and significant civil liability provisions, this framework could deter lawful federal efforts to ensure compliance with national voter eligibility standards.

If Congress enacts uniform federal requirements — such as proof of citizenship for federal elections — states will be required to comply under the Supremacy Clause of the United States Constitution. SB 264 risks placing New Mexico in direct conflict with federal law and invites costly litigation, confusion, and instability in election administration.

The SAVE Act and similar proposals are supported by overwhelming majorities of Americans who believe that voting in federal elections should be limited to U.S. citizens and that voter rolls should be accurate and secure. Proactive resistance to federal verification standards does not strengthen confidence in elections; it undermines it.

New Mexico should focus on increasing transparency, cooperation, and lawful compliance — not on enacting preemptive statutes that may shield state officials from federal oversight or discourage legitimate enforcement of voter eligibility requirements.

Election integrity and voter confidence are foundational to our republic. Legislation that appears designed to resist federal standards or create legal obstacles to lawful verification measures moves our state in the wrong direction.

For these reasons, NMBC respectfully urges a NO vote on Senate Bill 264.

Thank you for your consideration.

A handwritten signature in blue ink, appearing to read 'Carla J. Sonntag'.

Carla J. Sonntag
President & CEO