

Secretary of State Explains General Election Ballot Process After President Biden Withdraws from Race

SANTA FE – Secretary of State Maggie Toulouse Oliver released the following statement and FAQs today following President Biden’s announcement over the weekend that he will withdraw from the presidential race.

Following President Biden’s announcement, misinformation began circulating online that mischaracterized the process for how the Democratic nominee will appear on the General Election ballot in November. The Secretary of State’s Office is committed to providing New Mexicans with factual, up-to-date information about voting and elections. We encourage New Mexicans to always seek out information from trusted sources, like their county clerk or the Secretary of State’s Office.

“With President Biden’s decision to withdraw from the presidential race there has already been misinformation circulating about the nomination process here in New Mexico,” said Secretary Toulouse Oliver. “Let me set the record straight: The ballot deadline has not passed in New Mexico. New Mexico follows major party rules for the selection of presidential candidates and, as long as they meet the ballot deadline of August 27, 2024, whoever is nominated for president at the upcoming Democratic Convention will appear on New Mexico’s General Election ballot. I encourage voters to always seek out trusted sources of election information, like their county clerk or the Secretary of State’s office, and to verify information about voting and elections before repeating or reposting it.”

Important information for New Mexico voters:

- The ballot deadline has not passed in New Mexico.
- New Mexico follows major party rules for the selection of presidential candidates and, as long as they meet the ballot deadline of August 27, 2024 (per NMSA 1-8-8), whoever is nominated for president at the upcoming Democratic Convention will appear on New Mexico’s General

Election ballot.

- President Biden won New Mexico's Primary Election in June, but that simply means that Democratic voters voted to allocate delegates to the Democratic Convention where the formal nomination will take place. Now that Biden has withdrawn from the race, he will release his pledged delegates who will choose how they wish to allocate their votes at the convention, along with the unpledged delegates.
- Can there be another Primary Election? No. State law does not provide for holding another Primary Election, nor would another Primary Election be necessary under the Democratic Party Rules governing delegates.
- To remove his name from the ballot, President Biden's campaign will need to file a notarized statement of withdrawal as a candidate to our office (per NMSA 1-10-6(D)) before August 27, 2024.