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1 ceremony repeating the swearing in shall also be conducted on or about
2 January 1, following each election. Officials who have satisfied the
3 requirements of division '(A)' or '(C)' of this section shall be deemed to have
4 taken office on January 1, regardless of the date of the public swearing in
5 ceremony.

6 (C) If a candidate fails to appear as required in division (A) of this section,
7 then the candidate or the candidate's authorized personal representative shall
8 file an affidavit with the City Clerk, not later than 5:00 p.m. on the fifth day after
9 the time specified by the City Clerk pursuant to division (A) of this section,
10 stating that the candidate was unable to personally appear before the City
11 Clerk as required by division (A) of this section. If such an affidavit is timely
12 filed, the candidate shall appear before the City Clerk not later than 5:00 p.m.
13 on the 15th day following the specified date for the commencement of the term
14 of office to provide the election certificate, file the receipt and qualifications
15 statement and take the oath of office.

16 (D) If a candidate fails to comply with division (A) of this section prior to the
17 specified date for the commencement of the term of office, then the person
18 holding the office shall remain in office until the candidate takes office or the
19 office is declared vacant.

20 (E) If a candidate fails to comply with division (A) or division (C) of this
21 section, then that office is deemed vacant.

22 ~~§ 2-4-15 LIMITATION ON USE OF FUNDS.~~

23 ~~—(A) Short title. This section may be referred to as the "Limitation on Use of~~
24 ~~Open and Ethical Elections Code Funds Ordinance".~~

25 ~~—(B) Limitation on use of funds. Funds distributed to participating~~
26 ~~candidates under the provisions of the Open and Ethical Elections Code, in~~
27 ~~addition to the limitations contained in that Code, shall not be used for the~~
28 ~~following purposes:~~

29 ~~—(1) The purchase of "alcoholic beverages" as that term is defined at § 13-2-~~
30 ~~2 ROA 1994.~~

31 ~~—(2) Any payment to a registered voter in exchange for that voter agreeing~~
32 ~~to vote in an election.~~

1 ~~(C) Penalty. Violation of this section shall be a criminal act punishable as~~
2 ~~provided for at § 1-1-00 ROA 1994.]~~

3 SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, word or
4 phrase of this ordinance is for any reason held to be invalid, or unenforceable
5 by any court of competent jurisdiction, such decision shall not affect the
6 validity of the remaining provisions of this ordinance. The Council hereby
7 declares that it would have passed this ordinance and each section,
8 paragraph, sentence, clause, word or phrase thereof irrespective of any
9 provision being declared unconstitutional or otherwise invalid.

10 SECTION 3. COMPILATION. Section 1 of this ordinance shall amend, be
11 incorporated in, and made part of the Revised Ordinances of Albuquerque,
12 New Mexico, 1994.


13 SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five (5) days
14 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 6th DAY OF May, 2024
2 BY A VOTE OF: 9 FOR 0 AGAINST.

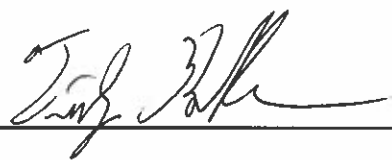
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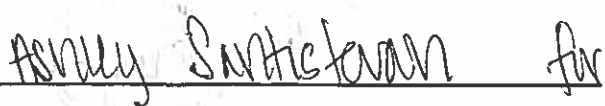
Dan Lewis, President
City Council

APPROVED THIS 17 DAY OF May, 2024

Bill No. O-24-16



Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:


Ethan Watson, City Clerk

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