

Opinion No. 40-3556

June 28, 1940

BY: FILO M. SEDILLO, Attorney General

TO: Mrs. Jessie M. Gonzales, Secretary of State, Santa Fe, New Mexico.

{*147} In your letter of June 27th you ask whether a candidate must file for office personally, or may send a representative to file for him.

The requirements in our statutes for any person desiring to become a candidate for any political party participating in the primary for any office are that a candidate shall file a declaration of candidacy and nominating petitions accompanied by 3% of the first year's salary of said office. These declarations and petitions may be handed to the Secretary of State in person, by representative, by mail, or otherwise. There is no certain requirement as to how the Secretary of State shall receive said declarations and petitions. If the declarations and petitions are in order the Secretary of State shall file same regardless of how they were delivered.