

HOUSE JOINT RESOLUTION 21

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 4 OF THE CONSTITUTION OF NEW MEXICO TO PROVIDE THAT A DECLARATION OF A STATE OF EMERGENCY PURSUANT TO A POWER GRANTED TO THE GOVERNOR BY LAW, AND ORDERS ISSUED IN ACCORDANCE WITH THAT DECLARATION, SHALL TERMINATE WITHIN NINETY DAYS AND NOT BE RE-DECLARED UNLESS THE DECLARATION OF THE STATE OF EMERGENCY IS EXTENDED, MODIFIED OR TERMINATED BY A JOINT RESOLUTION OF THE LEGISLATURE ON AN AFFIRMATIVE VOTE OF THREE-FIFTHS OF EACH HOUSE OF THE LEGISLATURE.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** It is proposed to amend Article 4 of the constitution of New Mexico by adding a new section to read:

"A. A declaration of a state of emergency issued by the governor pursuant to a gubernatorial power granted to the

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1 governor in law, and orders issued in accordance with that  
2 declaration, shall terminate at the end of ninety days unless  
3 that declaration is extended, modified or terminated by a joint  
4 resolution of the legislature on an affirmative vote of three-  
5 fifths of the members elected to each house of the legislature.

6 B. A joint resolution may extend, modify or  
7 terminate a gubernatorial declaration of a state of emergency  
8 and any order issued in accordance with that declaration. The  
9 gubernatorial declaration shall cease to be in effect on the  
10 termination date specified in the joint resolution, which shall  
11 be no later than ninety days after the passage of the joint  
12 resolution. The legislature may pass other joint resolutions  
13 for further ninety-day periods in a special session called for  
14 that purpose, in extraordinary session or in a regular session,  
15 if one occurs during a declared emergency.

16 C. During a state of emergency declared by the  
17 governor, if the legislature is not called into special session  
18 by the governor, the legislature may call itself into  
19 extraordinary session in accordance with Article 4, Section 6  
20 of the constitution of New Mexico to extend, modify or  
21 terminate the gubernatorial declaration as provided in this  
22 section."

23 SECTION 2. The amendment proposed by this resolution  
24 shall be submitted to the people for their approval or  
25 rejection at the next general election or at any special

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election prior to that date that may be called for that  
purpose.