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HOUSE BILL 209

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

Stephanie Garcia Richard and William H. Payne

AN ACT

RELATING TO MILITARY AFFAIRS; ALLOWING FOR THE AUTHORIZATION OF  
WOMEN TO SERVE IN ANY POSITION OF THE ORGANIZED MILITIA.

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

SECTION 1. Section 20-2-2 NMSA 1978 (being Laws 1987,  
Chapter 318, Section 9) is amended to read:

"20-2-2. MILITIA COMPOSITION.--The militia is composed of  
the organized and the unorganized militia.

A. The organized militia is the national guard and  
the standing cadre of the state defense force and such parts of  
the unorganized militia when and as may be activated, enrolled  
or enlisted into the national guard or into the state defense  
force.

B. The unorganized militia is comprised of all  
able-bodied male citizens of the state and all other able-

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1 bodied males who have or shall have declared their intentions  
2 to become citizens of the United States and are residents of  
3 the state who are not less than eighteen or more than forty-  
4 five years of age, but who shall not be more than sixty-four  
5 years of age if they shall have earlier served in or retired  
6 from the national guard; subject to the following exceptions:

7 (1) persons exempted by the laws of the United  
8 States from federal military service;

9 (2) persons who are engaged in civilian  
10 occupations which are deemed by the governor to be of greater  
11 public service or necessity than would be their service in the  
12 militia if called into active service of the state;

13 (3) persons who have received dismissal, a  
14 dishonorable discharge, a bad conduct discharge, an undesirable  
15 discharge or a discharge under other than honorable conditions  
16 from any military component; and

17 (4) persons in active federal military service  
18 or retired military members subject to federal recall to active  
19 military service.

20 C. The adjutant general may prescribe plans by  
21 regulation for the orderly activating and detailing of the  
22 unorganized militia and its members, to include mission  
23 analysis and personnel classification. Enrollment or  
24 enlistment of members of the unorganized militia may be into  
25 the national guard, subject to federal criteria, or into the

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1 state defense force, as determined by the governor.

2 D. The governor may authorize the voluntary  
3 appointment or voluntary enlistment of female citizens of the  
4 state into [~~the noncombat~~] any military occupational specialty  
5 or career field of the branches and services of the organized  
6 militia that is consistent with current federal department of  
7 defense policy and while so serving they shall have the same  
8 status as male members."

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