

LFC Requester:

Felix Chavez

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 2/11/2025

Check all that apply:

Bill Number: HJR15

Original x Correction
Amendment Substitute

Sponsor: Rep. Patricia Roybal
Caballero

Agency Name and Code Number: 305 – New Mexico
Department of Justice

Short Title: PROHIBIT SLAVERY, CA

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

This is a proposed amendment to the New Mexico Constitution, which, pursuant to N.M. Const., Article XIX, Section 1, would need to be approved by a majority of members elected to each house, voting separately, and ratified by the voters at the next general or special election. It would abolish slavery, without exception.

Section 1: Adds the following line to the end of Article II, Section 4 of the New Mexico Constitution: “Slavery and involuntary servitude *in any form* are prohibited.” (Emphasis added.) There is currently no language in the New Mexico Constitution pertaining to slavery. Of course, the ban on slavery in the Thirteen Amendment to the U.S. Constitution applies to New Mexico. However, the Thirteenth Amendment contains an exception, allowing slavery “as a punishment for crime whereof the party shall have been duly convicted.” The proposed amendment would eliminate this loophole within the jurisdiction of the State of New Mexico. A number of other states have enacted similar amendments to their constitutions.

Section 2: States that the proposed amendment shall be submitted to the people at the next general election or at a prior special election that may be called for that purpose.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

N/A

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None apparent

TECHNICAL ISSUES

Section 2 states that the amendment shall be presented to the voters at the next general election or at “any special election prior to that date” called for that purpose. Article XIX, Section 1 states that an amendment “shall be voted upon at the next regular election held after the adjournment of that legislature or at a special election to be held not less than six months after the adjournment of that legislature.” This implies that the special election would need to be called prior to mid-September of this year (within six months after adjournment), or else ratification would need to wait until the next general election, which would be in November of 2026. N.M. Const., Art. 20, § 6.

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

None yet