

SENATE BILL 456

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

INTRODUCED BY

Joseph Cervantes

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO THE LEGISLATURE; CREATING A PERMANENT JOINT INTERIM COURTS AND JUSTICE COMMITTEE; PROVIDING POWERS AND DUTIES; PROVIDING FOR COMMITTEE STAFF.

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

SECTION 1. A new section of Chapter 2 NMSA 1978 is enacted to read:

"[NEW MATERIAL] CREATION OF COMMITTEE--MEMBERS--

.230804.3AIC February 21, 2025 (8:59pm)

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APPOINTMENT--TERMS.--

A. A permanent joint interim committee of the legislature to be called the "courts and justice committee" is created.

B. The committee is composed of SRC→eight←SRC SRC→ten←SRC members. The New Mexico legislative council shall appoint SRC→four←SRC SRC→five←SRC members from the house of representatives and SRC→four←SRC SRC→five←SRC members from the senate. At the time of making the appointment, the New Mexico legislative council shall designate the chair and vice chair of the committee. Members shall be appointed so as to give the two major political parties in each house the same proportionate representation on the committee as prevails in each house; provided, however, that in no event shall either of such parties have less than one member from each house on the committee.

C. A vacancy on the committee shall be filled by appointment in the same manner as the original appointment.

D. No action shall be taken by the committee if a majority of the total membership from either house on the committee rejects such action."

SECTION 2. A new section of Chapter 2 NMSA 1978 is enacted to read:

"[NEW MATERIAL] POWERS AND DUTIES OF THE COMMITTEE--
SUBPOENA POWER.--

.230804.3AIC February 21, 2025 (8:59pm)

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A. The courts and justice committee shall conduct a continuing study of the programs, agencies, policies, issues and needs relating to courts and justice, including review and study of the statutes, constitutional provisions, rules and court decisions governing such statutes, rules, programs, agencies, issues and needs. The committee shall also study the full continuum of programs and services available and needed for people who are involved in or otherwise affected by the justice system.

B. The courts and justice committee has the power to conduct hearings and to administer oaths. The committee has the power to subpoena attendance of witnesses and production of documents, which may be enforced through any district court of the state. The subpoena power shall be used only upon approval by a majority of committee members and shall be related to the committee's powers and duties provided in this section. Service of committee subpoena shall be made by a sheriff or a member of the New Mexico state police division of the department of public safety and shall be served without cost to the committee.

C. A state agency or political subdivision of the state shall, upon request, furnish and make available to the courts and justice committee documents, material or information requested by the members of the committee or the committee's staff."

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SECTION 3. A new section of Chapter 2 NMSA 1978 is enacted to read:

"[NEW MATERIAL] SUBCOMMITTEES.--Subcommittees of the courts and justice committee shall be created only by majority vote of all members appointed to the committee and with the prior approval of the New Mexico legislative council. A subcommittee shall be composed of at least one member from the senate and one member from the house of representatives, and at least one member of the minority party shall be a member of the subcommittee. All meetings and expenditures of a subcommittee shall be approved by the full committee in advance of such meeting or expenditure, and the approval shall be shown in the minutes of the committee."

SECTION 4. A new section of Chapter 2 NMSA 1978 is enacted to read:

"[NEW MATERIAL] REPORT.--The courts and justice committee shall make a report of its findings and recommendations for the consideration of each session of the legislature. The report and recommendations, including any necessary legislation, shall be made available to the New Mexico legislative council on or before December 15 preceding each session."

SECTION 5. A new section of Chapter 2 NMSA 1978 is enacted to read:

"[NEW MATERIAL] STAFF.--The staff for the courts and justice committee shall be provided by the legislative council

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service."

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