

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE RESOLUTION 2
57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY
John Block and Stefani Lord

A RESOLUTION
CONSTITUTING ARTICLES OF IMPEACHMENT OF MICHELLE LUJAN GRISHAM,
GOVERNOR; BEING A RECITATION OF THE GROUNDS UPON WHICH THE
HOUSE OF REPRESENTATIVES FINDS THAT MICHELLE LUJAN GRISHAM HAS
COMMITTED ACTS THAT WARRANT IMPEACHMENT AND TRIAL IN THE SENATE
PURSUANT TO SECTIONS 35 AND 36 OF ARTICLE 4 OF THE CONSTITUTION
OF NEW MEXICO; PROVIDING FOR NOTICE OF IMPEACHMENT AND THE
PROSECUTION OF IMPEACHMENT.

WHEREAS, Michelle Lujan Grisham was elected to the
position of governor on November 6, 2018 for a term of four
years; and

WHEREAS, Michelle Lujan Grisham was reelected to the
position of governor on November 8, 2022 for another four-year
term; and

WHEREAS, Michelle Lujan Grisham first took the oath of
.229158.1

underscored material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 office of governor on January 1, 2019 and again for her second
2 term on January 1, 2023; and

3 WHEREAS, on September 7, 2023, Michelle Lujan Grisham
4 issued Executive Order 2023-130, declaring a state of public
5 health emergency due to gun violence effective through October
6 6, 2023; and

7 WHEREAS, in Executive Order 2023-130, Michelle Lujan
8 Grisham directed the department of health, the homeland
9 security and emergency management department and the department
10 of public safety to immediately begin collaborating with her
11 office "to provide an effective and coordinated response to
12 this public health emergency"; and

13 WHEREAS, in the same executive order, she directed all
14 political subdivisions of the state to comply with and enforce
15 all directives pursuant to the order; and

16 WHEREAS on September 8, 2023, Patrick Allen, secretary of
17 health, as directed by the governor, issued a public health
18 order prohibiting any person, other than a law enforcement
19 officer or licensed security officer, from possessing a
20 firearm, "either openly or concealed", within certain
21 municipalities and counties and subject to certain exceptions
22 relating to use of firearms on private property or on the
23 premises of licensed firearms dealers or gunsmiths, firing
24 ranges or sports shooting competitions; and

25 WHEREAS, at Michelle Lujan Grisham's direction, anyone

.229158.1

underscoring material = new
~~[bracketed material] = delete~~

1 carrying a firearm in contravention of the public health order
2 "may be subject to civil and administrative penalties available
3 at law"; and

4 WHEREAS, the public health order directed the department
5 of public safety to "coordinate with local law enforcement
6 agencies and district attorneys' offices and assist in
7 apprehension of persons with outstanding arrest warrants"; and

8 WHEREAS, the public health order directed the department
9 of public safety to "dispatch additional officers and resources
10 to Bernalillo county and work with the Albuquerque police
11 department and Bernalillo county sheriff to determine the best
12 use of those resources"; and

13 WHEREAS, on September 13, 2023, a federal judge issued a
14 temporary restraining order against the firearm prohibition
15 imposed in the public health order; and

16 WHEREAS, on September 15, 2023, Michelle Lujan Grisham
17 directed that the public health order be modified, but still
18 applied a prohibition on the carrying of firearms, "either
19 openly or concealed", within certain public spaces; and

20 WHEREAS, Article 2, Section 1 of the constitution of New
21 Mexico recognizes that "the state of New Mexico is an
22 inseparable part of the federal union, and the constitution of
23 the United States is the supreme law of the land"; and

24 WHEREAS, the second amendment to the United States
25 constitution provides that "a well regulated militia, being

.229158.1

underscoring material = new
~~[bracketed material]~~ = delete

1 necessary to the security of a free state, the right of the
2 people to keep and bear arms, shall not be infringed"; and

3 WHEREAS, Article 2, Section 6 of the constitution of New
4 Mexico provides that "[n]o law shall abridge the right of the
5 citizen to keep and bear arms for security and defense, for
6 lawful hunting and recreational use and for other lawful
7 purposes, but nothing herein shall be held to permit the
8 carrying of concealed weapons. No municipality or county shall
9 regulate, in any way, an incident of the right to keep and bear
10 arms."; and

11 WHEREAS, by her issuance of Executive Order 2023-130 and
12 her direction to issue the September 8, 2023 public health
13 order, Michelle Lujan Grisham abridged the fundamental rights
14 of law-abiding New Mexico citizens under the second amendment
15 to the United States constitution and Article 2, Section 6 of
16 the constitution of New Mexico; and

17 WHEREAS, Michelle Lujan Grisham's actions are in
18 contravention to her oath of office, in which she swore to
19 support the constitution and the laws of the state and to
20 faithfully and impartially discharge the duties of her office;
21 and

22 WHEREAS, Article 4, Section 36 of the constitution of New
23 Mexico provides, in pertinent part, that all state officers
24 "shall be liable to impeachment for crimes, misdemeanors and
25 malfeasance in office"; and

.229158.1

underscoring material = new
~~[bracketed material] = delete~~

1 Michelle Lujan Grisham violated the second amendment to
2 the United States constitution by issuing Executive Order
3 2023-130 and directing issuance of the September 8, 2023 public
4 health order; and

5 ARTICLE 4

6 Michelle Lujan Grisham directed modification of the
7 September 8, 2023 public health order in a manner that
8 continued to violate the second amendment to the United States
9 constitution; and

10 ARTICLE 5

11 Michelle Lujan Grisham inappropriately used the public
12 health emergency process established pursuant to the Public
13 Health Emergency Response Act and the All Hazard Emergency
14 Management Act to strip citizens of their constitutional rights
15 to keep and bear arms; and

16 ARTICLE 6

17 Michelle Lujan Grisham misused public resources entrusted
18 to her by directing the department of public safety to enforce
19 the provisions of the unconstitutional public health order as
20 it was issued on September 8, 2023 and as it was further
21 modified on September 15, 2023; and

22 ARTICLE 7

23 Michelle Lujan Grisham coerced political subdivisions to
24 engage in conduct that is contrary to rights established in
25 Article 2, Section 6 of the constitution of New Mexico or the
.229158.1

1 second amendment to the United States constitution by requiring
2 all political subdivisions to comply with and enforce all
3 directives issued pursuant to Executive Order 2023-130; and

4 ARTICLE 8

5 Michelle Lujan Grisham abused the public trust and the
6 confidence placed in her by the people through the acts
7 described in these articles; and

8 BE IT FURTHER RESOLVED that the chief clerk of the house
9 of representatives shall forthwith provide notice of
10 impeachment to Governor Michelle Lujan Grisham, by the service
11 of this resolution which hereby includes the constitutional
12 command that pursuant to Article 4, Section 36 of the
13 constitution, she shall no longer "exercise any power or duties
14 of [her] office...until [she] is acquitted" by the senate.

15 - 7 -
16
17
18
19
20
21
22
23
24
25

underscoring material = new
~~[bracketed material] = delete~~