

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

DISCUSSION DRAFT

Note: This is largely the same language the House, Government, Elections and Indian Affairs Committee substitute that passed HGEIA in the 2024 session. One change in section B based upon input received from Representative Little at the Committee hearing.

A JOINT RESOLUTION PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE FOR THE CREATION OF AN INDEPENDENT REDISTRICTING COMMISSION TO DEVELOP AND ADOPT REDISTRICTING PLANS AS PROVIDED BY LAW FOR CONGRESSIONAL DISTRICTS, STATE LEGISLATIVE DISTRICTS AND THE DISTRICTS OF OTHER DISTRICTED STATE OFFICES.

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

SECTION 1. It is proposed to amend Article 4, Section 3 of the constitution of New Mexico to read:

"A. Senators shall not be less than twenty-five years of age and representatives not less than twenty-one years of age at the time of their election. If any senator or representative permanently removes ~~[his]~~ the senator's or representative's residence from or maintains no residence in the district from which ~~[he]~~ the senator or representative was elected, then ~~[he]~~ the senator or representative shall be deemed to have resigned and ~~[his]~~ a successor shall be selected as provided in Article 4, Section 4 of this ~~[article]~~ constitution. No person shall be eligible to serve in the legislature who, at the time of qualifying, holds any office of trust or profit with the state, county or national governments, except notaries public and officers of the militia who receive no salary.

B. The senate shall be composed of no more than forty-two members elected from single-member districts.

C. The house of representatives shall be composed of no more than seventy members elected from single-member districts.

~~["D. Once following publication of the official report of each federal decennial census hereafter conducted, the legislature may by statute reapportion its membership."]~~

SECTION 2. It is proposed to amend Article 20 of the constitution of New Mexico by adding a new section to read:

"A. By September 1 of the year of the federal decennial census, an independent redistricting commission shall be established to develop and adopt plans for the redistricting of

congressional districts, state legislative districts and the districts of other districted state offices. The commission shall file its adopted plans with the secretary of state within six months of the release of redistricting data by the United States census bureau. Plans adopted by the commission shall determine the districts for use in the succeeding primary and general elections for each respective body.

B. The redistricting commission shall consist of nine members who are registered qualified electors of New Mexico, three of whom are members of the largest political party, three of whom are members of the second largest political party and three of whom are not members of either of the two largest political parties and that, to the extent possible, mirrors the geographic and demographic makeup of the state. Two-thirds of members will be randomly selected, using statistically accepted weighting methodology, from applications received by the secretary of state. The final third will be selected by majority vote by the randomly selected commission members from among the applicant pool to achieve, to extent possible, the geographic and demographic makeup of the state.

C. Districts shall be substantially equal in population; shall not dilute the ability of a minority group or groups to nominate or elect candidates of their choice on their own or with the aid of crossover voters; shall not be drawn to favor or disfavor any political party or candidate; shall not split precincts; shall be contiguous and reasonably compact; and shall be drawn to preserve communities of interest and to respect political and geographic boundaries, including the boundaries of Indian nations, tribes, and pueblos and their political subdivisions. The commission may not use party membership or voting history data to develop a map but may use such information to assess compliance with federal law and this subsection.

SECTION 3. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.