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HOUSE JOINT RESOLUTION

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

INTRODUCED BY

DISCUSSION DRAFT

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 FOR STATE LEGISLATIVE DISTRICTS AND THE DISTRICTS OF OTHER STATE OFFICES REQUIRING REDISTRICTING.

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

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1 elected, then ~~[he]~~ the senator or representative shall be
2 deemed to have resigned and ~~[his]~~ a successor shall be selected
3 as provided in Section 4 of this article. No person shall be
4 eligible to serve in the legislature who, at the time of
5 qualifying, holds any office of trust or profit with the state,
6 county or national governments, except notaries public and
7 officers of the militia who receive no salary.

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

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

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

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

18 "A. By September 1 of the year of the federal
19 decennial census, an independent redistricting commission shall
20 be established to develop and adopt plans for the redistricting
21 of state legislative districts and the districts of other state
22 offices requiring redistricting. The commission shall file its
23 adopted plans with the secretary of state within six months of
24 the release of redistricting data by the United States census
25 bureau. Plans adopted by the commission shall determine the

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1 districts for use in the succeeding elections for each
2 respective office.

3 B. The redistricting commission shall consist of
4 nine members who are registered qualified electors of New
5 Mexico, three of whom are members of the largest political
6 party, three of whom are members of the second largest
7 political party and three of whom are not members of either of
8 the two largest political parties and that, as closely as
9 possible, reflects the demographic makeup and geographic
10 distribution of the population of the state. From applications
11 received, the secretary of state shall administer the process
12 to randomly select two-thirds of the members of the commission
13 using a statistically accepted weighting methodology as
14 provided by law. The final third shall be selected from among
15 the remaining applicant pool by majority vote of the commission
16 members. The legislature shall provide by law a procedure for
17 meetings of the redistricting commission.

18 C. Districts shall be drawn using traditional
19 redistricting principles and shall not result in minority vote
20 dilution when a minority group is sufficiently large and
21 geographically compact to constitute a majority in a single-
22 member district and is politically cohesive and the non-
23 minority group votes sufficiently as a block to usually enable
24 it to defeat the minority group's preferred candidate. The
25 commission shall not consider the voting address of incumbents.

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1 The commission shall not use party membership or voting history
2 to develop redistricting plans but may use such information to
3 assess compliance with federal law and this section.

4 D. The redistricting commission has procurement and
5 contracting authority and may employ or contract with staff,
6 consultants and legal counsel as necessary to carry out its
7 duties. The redistricting commission has standing in legal
8 actions challenging the redistricting plans or process or the
9 adequacy of resources provided for the operation of the
10 redistricting commission. The redistricting commission has
11 sole authority to determine whether the attorney general or the
12 commission's counsel shall represent the state in the legal
13 defense of a redistricting plan."

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