

1 SENATE BILL 537

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Jacob Candelaria

5
6
7
8
9
10 AN ACT

11 RELATING TO PUBLIC OFFICIALS; PROVIDING FOR REMOVAL FROM PUBLIC
12 OFFICE IMMEDIATELY UPON CONVICTION OF A FELONY.

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. Section 10-1-2 NMSA 1978 (being Laws 1912,
16 Chapter 44, Section 1, as amended) is amended to read:

17 "10-1-2. PUBLIC OFFICE--CONVICTION OF CRIME--
18 DISQUALIFICATION--REMOVAL--FORFEITURE.--[Sec. 2. ~~That no~~

19 A. A person convicted of a [felonious or infamous
20 crime] felony, unless such person has been pardoned or restored
21 to political rights, shall not be qualified to be elected or
22 appointed to any public office in this state.

23 B. If a person who holds a public office in this
24 state is convicted of a felony, the person shall be deemed to
25 have resigned from the public office immediately upon

.192886.1

underscored material = new
[bracketed material] = delete

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

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

conviction, and the office shall be deemed vacant.

C. As used in this section, "public office" means:

- (1) any elective office in the state;
- (2) the office of a cabinet secretary; or
- (3) an appointed position on a public board or
commission."