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SENATE BILL 19

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2020

INTRODUCED BY

Gregory A. Baca

AN ACT

RELATING TO PUBLIC HEALTH; PROVIDING FOR AUTOMATIC TERMINATION OF A PUBLIC HEALTH ORDER THAT CLOSES PUBLIC PLACES OR LIMITS GATHERINGS AND REQUIRING APPROVAL OF THE LEGISLATURE FOR RENEWAL OR AMENDMENT OF THE ORDER; DECLARING AN EMERGENCY.

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

SECTION 1. A new section of the Emergency Powers Code is enacted to read:

"~~[NEW MATERIAL]~~ PUBLIC HEALTH ORDER--PUBLIC PLACES AND GATHERINGS--TERMINATION AND RENEWAL.--A public health order, issued pursuant to an act in the Emergency Powers Code, that is of general applicability throughout the state or a portion of the state and that closes any public place or forbids or limits gatherings of people shall automatically terminate fourteen days after being issued and may not be renewed or amended, or a

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

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

1 new order on the same subject matter issued, except by joint
2 resolution of the legislature in regular, special or
3 extraordinary session. If the legislature is not in session at
4 the time of the expiration of an order, an order may be renewed
5 or amended in writing by the leadership of the senate and the
6 house of representatives until the legislature meets in
7 regular, special or extraordinary session. For purposes of
8 this section, "leadership of the senate and the house of
9 representatives" means the president pro tempore and the
10 minority floor leader of the senate and the speaker and the
11 minority floor leader of the house of representatives."

12 SECTION 2. A new section of the Public Health Act is
13 enacted to read:

14 "~~[NEW MATERIAL]~~ PUBLIC HEALTH ORDER--PUBLIC PLACES AND
15 GATHERINGS--TERMINATION AND RENEWAL.--A public health order
16 that is of general applicability throughout the state or a
17 portion of the state that closes any public place or forbids or
18 limits gatherings of people shall automatically terminate
19 fourteen days after being issued and may not be renewed or
20 amended, or a new order on the same subject matter issued,
21 except by joint resolution of the legislature in regular,
22 special or extraordinary session. If the legislature is not in
23 session at the time of the expiration of an order, an order may
24 be renewed or amended in writing by the leadership of the
25 senate and the house of representatives until the legislature

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

1 meets in regular, special or extraordinary session. For
2 purposes of this section, "leadership of the senate and the
3 house of representatives" means the president pro tempore and
4 the minority floor leader of the senate and the speaker and the
5 minority floor leader of the house of representatives."

6 SECTION 3. EMERGENCY.--It is necessary for the public
7 peace, health and safety that this act take effect immediately.

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