

1 SENATE JOINT RESOLUTION

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

3 INTRODUCED BY

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO BY ADDING A
12 NEW SECTION OF ARTICLE 2 THAT PROVIDES THE PEOPLE OF THE STATE
13 WITH ENVIRONMENTAL RIGHTS, INCLUDING THE RIGHT TO CLEAN AND
14 HEALTHY AIR, WATER, SOIL, NATIVE ECOSYSTEMS AND ENVIRONMENTS,
15 INCLUDING A SAFE CLIMATE, AND DIRECTS THE STATE, COUNTIES AND
16 MUNICIPALITIES TO SERVE AS TRUSTEES OF THE NATURAL RESOURCES OF
17 NEW MEXICO FOR THE BENEFIT OF ALL THE PEOPLE.

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

20 SECTION 1. It is proposed to amend Article 2 of the
21 constitution of New Mexico by adding a new section to read:

22 "A. The people of the state shall be entitled to
23 clean and healthy air, water, soil, native ecosystems and
24 environments, including a safe climate, for the benefit of
25 public health, safety and general welfare. The state shall

.226798.2

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

1 protect these rights equitably for all people regardless of
2 race, ethnicity, tribal affiliation, gender, socioeconomics or
3 geography.

4 B. The state, counties and municipalities shall
5 serve as trustees of the natural resources of New Mexico and
6 shall conserve, protect and maintain these resources for the
7 benefit of all the people, including present and future
8 generations. The state, counties and municipalities shall not
9 allow, through government action or inaction, the degradation,
10 diminution or depletion of the natural environment that is
11 avoidable, contributes to significant or widespread
12 environmental harm or results in an unhealthy or unsustainable
13 environment.

14 C. The provisions of this section are self-
15 executing. Monetary damages shall not be awarded for a
16 violation of this section. This section is enforceable against
17 the state, counties and municipalities."

18 SECTION 2. The amendment proposed by this resolution
19 shall be submitted to the people for their approval or
20 rejection at the next general election or at any special
21 election prior to that date that may be called for that
22 purpose.