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HOUSE BILL 3

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

INTRODUCED BY

Antonio Maestas and Mary Kay Papen

AN ACT

RELATING TO EMERGENCY POWERS; PROVIDING THE GOVERNOR WITH
AUTHORITY DURING THE PENDENCY OF A DECLARED PUBLIC HEALTH
EMERGENCY TO ALTER OR SUSPEND IN-PERSON REQUIREMENTS RELATING
TO NOTARIAL ACTS, THE EXECUTION OF WILLS AND THE HOLDING OF
SHAREHOLDER MEETINGS AND TO ALLOW ALCOHOLIC BEVERAGES TO BE
SOLD BY LIQUOR CONTROL ACT LICENSEES TO CUSTOMERS BY MEANS OF
PICK-UP OR DELIVERY SERVICE; ENACTING A DELAYED REPEAL;
DECLARING AN EMERGENCY.

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

SECTION 1. A new section of the Notary Public Act is
enacted to read:

"[NEW MATERIAL] GOVERNOR EMERGENCY POWERS.--During the
pendency of a public health emergency declared pursuant to the
Public Health Emergency Response Act, the governor, through an

underscoring material = new
~~bracketed material~~ = delete

underscored material = new
[bracketed material] = delete

1 executive order, may alter or suspend the in-person or personal
2 appearance requirements for the performance of notarial acts
3 and may prescribe conditions for performing notarial acts by
4 virtual or remote means."

5 SECTION 2. A new section of Chapter 45, Article 2 NMSA
6 1978 is enacted to read:

7 "[NEW MATERIAL] GOVERNOR EMERGENCY POWERS.--During the
8 pendency of a public health emergency declared pursuant to the
9 Public Health Emergency Response Act, the governor, through an
10 executive order, may alter or suspend the in-person presence
11 requirements for witnessing the execution of a will and may
12 provide for virtual or remote means for achieving the witness
13 requirements."

14 SECTION 3. A new section of the Business Corporation Act
15 is enacted to read:

16 "[NEW MATERIAL] GOVERNOR EMERGENCY POWERS.--During the
17 pendency of a public health emergency declared pursuant to the
18 Public Health Emergency Response Act, the governor, through an
19 executive order, may alter or suspend in-person attendance
20 requirements for shareholder meetings and may provide for
21 shareholder meetings to be conducted by virtual or remote
22 means."

23 SECTION 4. A new section of the Liquor Control Act is
24 enacted to read:

25 "[NEW MATERIAL] GOVERNOR EMERGENCY POWERS.--During the

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

1 pendency of a public health emergency declared pursuant to the
2 Public Health Emergency Response Act, the governor, through an
3 executive order, may allow a person licensed pursuant to the
4 Liquor Control Act to sell alcoholic beverages to a person who
5 is at least twenty-one years of age by means of pick-up by the
6 customer at the licensed premises of a licensee or delivery to
7 the customer by the licensee."

8 SECTION 5. DELAYED REPEAL.--Sections 1 through 4 of this
9 act are repealed effective June 30, 2021.

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