

HOUSE JOINT RESOLUTION 12

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 19, SECTION 1 OF THE  
CONSTITUTION OF NEW MEXICO TO REQUIRE AMENDMENTS TO THE  
CONSTITUTION INITIATED BY THE LEGISLATURE TO BE CONSIDERED AND  
APPROVED AT TWO CONSECUTIVE REGULAR SESSIONS OF THE LEGISLATURE  
BEFORE BEING PUBLISHED AND SUBMITTED TO THE ELECTORATE FOR  
RATIFICATION.

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

SECTION 1. It is proposed to amend Article 19, Section 1  
of the constitution of New Mexico to read:

"A. An amendment or amendments to this constitution  
may be proposed in either house of the legislature at a regular  
session; and if a majority of all members elected to each of  
the two houses voting separately votes in favor thereof, the  
proposed amendment or amendments shall be entered on their

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1       respective journals with the yeas and nays thereon.

2               B. An amendment or amendments may also be proposed  
3 by an independent commission established by law for that  
4 purpose, and the amendment or amendments shall be submitted to  
5 the legislature for its review in accordance with the  
6 provisions of this section.

7               C. Except for an amendment proposed by an  
8 independent commission and approved by the legislature pursuant  
9 to Subsection B of this section, no proposed amendment shall be  
10 considered approved by the legislature for publication by the  
11 secretary of state or for submission to the electors of the  
12 state for ratification unless a majority of all members elected  
13 to each of the two houses voting separately votes in favor  
14 thereof in two consecutive regular sessions of the legislature.  
15 The amendment proposed in the second session shall be the  
16 proposed amendment with all modifications thereto approved in  
17 the first session. The proposed amendment in the second  
18 session may be modified prior to each house voting thereon but  
19 shall not be so altered so as to change its original purpose.

20               D. The secretary of state shall cause any such  
21 amendment or amendments to be published in at least one  
22 newspaper in every county of the state, where a newspaper is  
23 published once each week, for four consecutive weeks, in  
24 English and Spanish when newspapers in both of said languages  
25 are published in such counties, the last publication to be not

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1 more than two weeks prior to the election at which time said  
2 amendment or amendments shall be submitted to the electors of  
3 the state for their approval or rejection; and shall further  
4 provide notice of the content and purpose of legislatively  
5 approved constitutional amendments in both English and Spanish  
6 to inform electors about the amendments in the time and manner  
7 provided by law. The secretary of state shall also make  
8 reasonable efforts to provide notice of the content and purpose  
9 of legislatively approved constitutional amendments in  
10 indigenous languages and to minority language groups to inform  
11 electors about the amendments. Amendments approved by the  
12 legislature shall be voted upon at the next regular election  
13 held after the adjournment of that legislature or at a special  
14 election to be held not less than six months after the  
15 adjournment of that legislature, at such time and in such  
16 manner as the legislature may by law provide. An amendment  
17 that is ratified by a majority of the electors voting on the  
18 amendment shall become part of this constitution.

19 E. If two or more amendments are initiated by the  
20 legislature, they shall be so submitted as to enable the  
21 electors to vote on each of them separately. Amendments  
22 initiated by an independent commission created by law for that  
23 purpose may be submitted to the legislature separately or as a  
24 single ballot question, and any such commission-initiated  
25 amendments that are not substantially altered by the

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1 legislature may be submitted to the electors in the separate or  
2 single ballot question form recommended by the commission. No  
3 amendment shall restrict the rights created by Sections One and  
4 Three of Article VII hereof, on elective franchise, and  
5 Sections Eight and Ten of Article XII hereof, on education,  
6 unless it be proposed by vote of three-fourths of the members  
7 elected to each house and be ratified by a vote of the people  
8 of this state in an election at which at least three-fourths of  
9 the electors voting on the amendment vote in favor of that  
10 amendment."

11 SECTION 2. The amendment proposed by this resolution  
12 shall be submitted to the people for their approval or  
13 rejection at the next general election or at any special  
14 election prior to that date that may be called for that  
15 purpose.