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SENATE BILL 22

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

INTRODUCED BY

Michael Padilla

AN ACT

RELATING TO COUNTIES; PROVIDING FOR QUALIFICATIONS TO SERVE AS  
SHERIFF.

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

SECTION 1. A new section of Chapter 4, Article 41 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] SHERIFF--QUALIFICATIONS.--

A. In addition to other requirements imposed by  
law, in order to be elected or appointed as a sheriff, a person  
shall meet the following qualifications:

(1) have at least five years of professional  
law enforcement experience that may include military law  
enforcement experience;

(2) be a resident of the state for one year  
and of the county for which the person is seeking to be elected

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1 or appointed sheriff;

2 (3) hold a certificate attesting to completion  
3 of a basic law enforcement training program pursuant to Section  
4 29-7-6.1 NMSA 1978; and

5 (4) not have been recalled from public office.

6 B. A voter may challenge the candidacy for election  
7 to the office of sheriff of any person seeking nomination on  
8 the grounds that the person seeking nomination does not meet  
9 the qualification requirements of Subsection A of this section.  
10 The challenge shall be made by filing a petition in the  
11 district court within ten days after the day for filing a  
12 declaration of candidacy, which petition shall be heard in the  
13 same manner as provided in Subsection F of Section 1-8-26 NMSA  
14 1978."

15 **SECTION 2. CONTINGENT EFFECTIVE DATE.**--The provisions of  
16 this act shall become effective upon certification by the  
17 secretary of state that Article 7, Section 2 of the  
18 constitution of New Mexico has been amended as proposed by a  
19 joint resolution of the fifty-third legislature, first session,  
20 to provide for qualifications to hold the office of county  
21 sheriff, except in H class counties.

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