

1 SENATE JOINT RESOLUTION 4

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

3 INTRODUCED BY

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO REMOVE  
12 DISTRICT COURT APPELLATE JURISDICTION OVER ON THE RECORD  
13 DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR  
14 DRUGS CASES, AND ON THE RECORD DOMESTIC VIOLENCE CASES, FROM  
15 METROPOLITAN COURT.

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

18 SECTION 1. It is proposed to amend Article 6, Section 13  
19 of the constitution of New Mexico to read:

20 "The district court shall have original jurisdiction in  
21 all matters and causes not excepted in this constitution, and  
22 such jurisdiction of special cases and proceedings as may be  
23 conferred by law, and appellate jurisdiction of all cases  
24 originating in inferior courts and tribunals in their  
25 respective districts, and supervisory control over the same,

.202527.1

underscored material = new  
[bracketed material] = delete

1 except that the district court shall not have appellate  
2 jurisdiction of on the record driving while under the influence  
3 of intoxicating liquor or drugs cases or domestic violence  
4 cases from metropolitan court. The district courts, or any  
5 judge thereof, shall have power to issue writs of habeas  
6 corpus, mandamus, injunction, quo warranto, certiorari,  
7 prohibition and all other writs, remedial or otherwise in the  
8 exercise of their jurisdiction; provided, that no such writs  
9 shall issue directed to judges or courts of equal or superior  
10 jurisdiction. The district courts shall also have the power of  
11 naturalization in accordance with the laws of the United  
12 States. Until otherwise provided by law, at least two terms of  
13 the district court shall be held annually in each county, at  
14 the county seat."

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