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HOUSE JOINT RESOLUTION

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

DISCUSSION DRAFT

A JOINT RESOLUTION

PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE FOR THE CREATION OF AN INDEPENDENT REDISTRICTING COMMISSION TO DEVELOP AND ADOPT REDISTRICTING PLANS FOR STATE LEGISLATIVE DISTRICTS AND THE DISTRICTS OF OTHER STATE OFFICES REQUIRING REDISTRICTING.

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

SECTION 1. It is proposed to amend Article 4, Section 3 of the constitution of New Mexico to read:

"A. Senators shall not be less than twenty-five years of age and representatives not less than twenty-one years of age at the time of their election. If any senator or representative permanently removes ~~his~~ the senator's or representative's residence from or maintains no residence in the district from which ~~he~~ the senator or representative was

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1 elected, then ~~[he]~~ the senator or representative shall be  
2 deemed to have resigned and ~~[his]~~ a successor shall be selected  
3 as provided in Article 4, Section 4 of this ~~[article]~~  
4 constitution. No person shall be eligible to serve in the  
5 legislature who, at the time of qualifying, holds any office of  
6 trust or profit with the state, county or national governments,  
7 except notaries public and officers of the militia who receive  
8 no salary.

9 B. The senate shall be composed of no more than  
10 forty-two members elected from single-member districts.

11 C. The house of representatives shall be composed  
12 of no more than seventy members elected from single-member  
13 districts.

14 ~~[D. Once following publication of the official~~  
15 ~~report of each federal decennial census hereafter conducted,~~  
16 ~~the legislature may by statute reapportion its membership.]"~~

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

19 "A. By September 1 of the year of the federal  
20 decennial census, an independent redistricting commission shall  
21 be established to develop and adopt plans for the redistricting  
22 of state legislative districts and the districts of other state  
23 offices requiring redistricting. The commission shall file its  
24 adopted plans with the secretary of state within six months of  
25 the release of redistricting data by the United States census

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1 bureau. Plans adopted by the commission shall determine the  
2 districts for use in the succeeding elections for each  
3 respective office.

4 B. The redistricting commission shall consist of  
5 nine members who are registered qualified electors of New  
6 Mexico, three of whom are members of the largest political  
7 party, three of whom are members of the second largest  
8 political party and three of whom are not members of either of  
9 the two largest political parties and that, as closely as  
10 possible, reflects the demographic makeup and geographic  
11 distribution of the population of the state. From applications  
12 received, the secretary of state shall administer the process  
13 to randomly select two-thirds of the members of the commission  
14 using a statistically accepted weighting methodology as  
15 provided by law. The final third shall be selected from among  
16 the remaining applicant pool by majority vote of the commission  
17 members. The legislature shall provide by law a procedure for  
18 meetings and operations of the redistricting commission.

19 C. Districts shall be drawn using traditional  
20 redistricting principles and shall not result in minority vote  
21 dilution when a minority group is sufficiently large and  
22 geographically compact to constitute a majority in a single-  
23 member district and is politically cohesive and the non-  
24 minority group votes sufficiently as a block to usually enable  
25 it to defeat the minority group's preferred candidate. The

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1 commission shall not consider the voting address of incumbents.  
2 The commission shall not use party membership or voting history  
3 to develop redistricting plans but may use such information to  
4 assess compliance with federal law and this section.

5 D. The redistricting commission has procurement and  
6 contracting authority and may employ or contract with staff,  
7 consultants and legal counsel as necessary to carry out its  
8 duties. The redistricting commission has standing in legal  
9 actions challenging the redistricting plans or process or the  
10 adequacy of resources provided for the operation of the  
11 redistricting commission. The redistricting commission has  
12 sole authority to determine whether the attorney general or the  
13 commission's counsel shall represent the state in the legal  
14 defense of a redistricting plan."

15 SECTION 3. 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.