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HOUSE JOINT RESOLUTION 8  
**56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

INTRODUCED BY  
T. Ryan Lane and James G. Townsend and Gail Armstrong  
and Stefani Lord and John Block

A JOINT RESOLUTION  
PROPOSING AN AMENDMENT TO ARTICLE 4 OF THE CONSTITUTION OF NEW  
MEXICO TO PROVIDE THAT A DECLARATION OF A STATE OF EMERGENCY  
PURSUANT TO A POWER GRANTED TO THE GOVERNOR BY LAW TERMINATES  
AFTER NINETY DAYS UNLESS THE GOVERNOR CALLS THE LEGISLATURE  
INTO SPECIAL SESSION TO ADDRESS THE CIRCUMSTANCES OF THE  
EMERGENCY AND TO REQUIRE A THREE-FIFTHS' VOTE OF THE  
LEGISLATURE TO EXTEND, RESTRICT, SUSPEND OR TERMINATE THE  
EMERGENCY DECLARATION.

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

SECTION 1. It is proposed to amend Article 4 of the  
constitution of New Mexico by adding a new section to read:

"A. A declaration of a state of emergency issued by  
the governor pursuant to a power granted to the governor in law  
shall cease to be in effect after ninety days unless the

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1 governor calls the legislature into special session to address  
2 the circumstances of the state of emergency. If the governor  
3 fails to call the legislature into special session pursuant to  
4 this section, the emergency order shall automatically terminate  
5 on its existing expiration date.

6 B. A special session called pursuant to Subsection  
7 A of this section shall convene no later than the ninetieth day  
8 after the initial declaration of the state of emergency.

9 C. A state of emergency declared by the governor  
10 pursuant to a power granted in law may only be extended by  
11 joint resolution of the legislature upon the affirmative vote  
12 of three-fifths of the members elected to the house of  
13 representatives and three-fifths of the members elected to the  
14 senate. A joint resolution may extend a state of emergency for  
15 up to ninety days and may restrict or modify an emergency order  
16 issued pursuant to the emergency declaration. If the  
17 legislature does not act to extend a declaration of a state of  
18 emergency, the state of emergency shall terminate on its  
19 existing expiration date.

20 D. The governor shall call the legislature into  
21 special session before the expiration of an extension to  
22 consider an additional extension, and this procedure shall be  
23 repeated until the declaration of the state of emergency is  
24 terminated by the governor or the legislature. If a joint  
25 resolution extending a state of emergency is not approved

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1 pursuant to this section, the existing extension shall  
2 automatically terminate on its expiration date.

3 E. During a declaration of a state of emergency  
4 issued by the governor pursuant to a power granted to the  
5 governor in law, the legislature may call itself into  
6 extraordinary session pursuant to Article 4, Section 6 of the  
7 constitution of New Mexico to restrict, suspend or terminate a  
8 declaration of a state of emergency by joint resolution upon  
9 the affirmative vote of three-fifths of the members elected to  
10 the house of representatives and three-fifths of the members  
11 elected to the senate.

12 F. The governor may only declare one state of  
13 emergency for an event, and any effort to declare another state  
14 of emergency for the same event shall require prior consent of  
15 the legislature for the declaration to be effective.

16 G. Nothing in this amendment shall modify Article  
17 4, Section 2 of the constitution of New Mexico."

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