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HOUSE BILL 40

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2011

INTRODUCED BY

Thomas C. Taylor

AN ACT

RELATING TO THE REDISTRICTING OF THE HOUSE OF REPRESENTATIVES;
ESTABLISHING REPRESENTATIVE DISTRICTS; PROVIDING THE METHOD FOR
ELECTING REPRESENTATIVES; PROVIDING FOR THE FILLING OF
VACANCIES; SETTING PRECINCTS; FIXING THE NUMBER, RESIDENCE AND
TERMS OF REPRESENTATIVES; REPEALING AND ENACTING SECTIONS OF
THE NMSA 1978.

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

SECTION 1. SHORT TITLE.--This act may be cited as the
"2011 House Redistricting Act".

SECTION 2. MEMBERSHIP.--The house of representatives is
composed of seventy members to be elected from districts that
are contiguous and that are as compact as is practical.

SECTION 3. RESIDENCE.--At the time of filing a
declaration of candidacy for the office of state

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1 representative, a candidate shall reside in the district for
2 which the candidate files. Thereafter, if a representative
3 permanently removes the representative's residence from or
4 maintains no residence in the district from which the
5 representative was elected, the representative shall be deemed
6 to have resigned and a successor shall be selected as provided
7 in Section 4 of the 2011 House Redistricting Act.

8 SECTION 4. ELECTIONS--VACANCIES.--

9 A. Members of the house of representatives shall be
10 elected for terms of two years.

11 B. If a vacancy occurs in the office of
12 representative for any reason, the vacancy shall be filled as
13 follows:

14 (1) for a representative district that is
15 situated wholly within the exterior boundaries of a single
16 county, the board of county commissioners of that county shall
17 appoint the representative to fill the vacancy; and

18 (2) for a representative district situated
19 within two or more counties:

20 (a) the board of county commissioners of
21 each county in the representative district shall submit one
22 name to the governor; and

23 (b) the governor shall appoint the
24 representative to fill the vacancy from the list of names so
25 submitted.

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1 C. An appointment to fill a vacancy in the house of
2 representatives shall be for a term ending on December 31 after
3 the next general election.

4 D. An appointment to fill a vacancy made before the
5 general election of 2012 shall be made from the district as it
6 was described in Section 2-7D-1 NMSA 1978 (as established by
7 the court in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (1st
8 Dist. Ct., filed January 28, 2002)). After the general
9 election of 2012, a vacancy shall be filled by appointment from
10 the district as set out in the 2011 House Redistricting Act.

11 SECTION 5. PRECINCTS.--

12 A. Precinct designations and boundaries used in the
13 2011 House Redistricting Act are those precinct designations
14 and boundaries established pursuant to the Precinct Boundary
15 Adjustment Act and revised and approved pursuant to that act by
16 the secretary of state as of August 31, 2011.

17 B. A board of county commissioners shall not create
18 any precinct that lies in more than one representative district
19 and shall not divide any precinct so that the divided parts of
20 the precinct are situated in two or more representative
21 districts. Votes cast in a statewide election from precincts
22 created or divided in violation of this subsection are invalid
23 and shall not be counted or canvassed.

24 SECTION 6. DISTRICTS.--The districts of the house of
25 representatives shall be as set out in Sections 7 through 76 of
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1 the 2011 House Redistricting Act.

2 SECTION 7. REPRESENTATIVE DISTRICT ONE.--Representative
3 district one is composed of San Juan county precincts 28
4 through 33, 39 through 42, 44, 47 through 49, 58, 59 and 67.

5 SECTION 8. REPRESENTATIVE DISTRICT TWO.--Representative
6 district two is composed of San Juan county precincts 35
7 through 38, 43, 45, 46, 51 through 56, 70 and 77.

8 SECTION 9. REPRESENTATIVE DISTRICT THREE.--Representative
9 district three is composed of San Juan county precincts 57, 60
10 through 66, 68, 69 and 71 through 76.

11 SECTION 10. REPRESENTATIVE DISTRICT FOUR.--Representative
12 district four is composed of San Juan county precincts 1
13 through 4, 6, 7, 20 through 27, 34 and 50.

14 SECTION 11. REPRESENTATIVE DISTRICT FIVE.--Representative
15 district five is composed of McKinley county precincts 5, 7, 8,
16 10, 19, 23, 35, 36, 43, 44, 46 through 49 and 56; and San Juan
17 county precincts 5, 8 through 13 and 17.

18 SECTION 12. REPRESENTATIVE DISTRICT SIX.--Representative
19 district six is composed of Cibola county precincts 1, 4
20 through 8 and 13 through 15; and McKinley county precincts 15
21 through 18, 25 through 30, 52, 53 and 55.

22 SECTION 13. REPRESENTATIVE DISTRICT SEVEN.--
23 Representative district seven is composed of Valencia county
24 precincts 4, 6, 8 through 11, 14, 18, 21, 22, 25, 26, 29, 30,
25 32 through 36 and 38.

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1 **SECTION 14. REPRESENTATIVE DISTRICT EIGHT.--**

2 Representative district eight is composed of Valencia county
3 precincts 1, 2, 7, 12, 17, 19, 20, 23, 27, 31, 37 and 39
4 through 41.

5 **SECTION 15. REPRESENTATIVE DISTRICT NINE.--**Representative
6 district nine is composed of McKinley county precincts 1
7 through 4, 6, 20 through 22, 24, 31 through 34, 37 through 42,
8 45, 50, 54 and 57 through 59.

9 **SECTION 16. REPRESENTATIVE DISTRICT TEN.--**Representative
10 district ten is composed of Bernalillo county precincts 76, 90
11 through 94, 96 through 99, 103 through 106, 109, 226 and 258;
12 and Valencia county precincts 3 and 13.

13 **SECTION 17. REPRESENTATIVE DISTRICT ELEVEN.--**
14 Representative district eleven is composed of Bernalillo county
15 precincts 30, 95, 131 through 133, 135, 150 through 153, 161
16 through 166, 180, 181, 183 through 187, 212, 214, 217, 221 and
17 225.

18 **SECTION 18. REPRESENTATIVE DISTRICT TWELVE.--**
19 Representative district twelve is composed of Bernalillo county
20 precincts 54, 58, 71 through 75, 77, 88 and 141 through 144.

21 **SECTION 19. REPRESENTATIVE DISTRICT THIRTEEN.--**
22 Representative district thirteen is composed of Bernalillo
23 county precincts 41 through 43, 49, 52, 53, 56, 60, 137 and
24 140.

25 **SECTION 20. REPRESENTATIVE DISTRICT FOURTEEN.--**

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1 Representative district fourteen is composed of Bernalillo
2 county precincts 33, 44 through 47, 51, 61 through 67, 121
3 through 125, 139 and 154.

4 **SECTION 21. REPRESENTATIVE DISTRICT FIFTEEN.--**

5 Representative district fifteen is composed of Bernalillo
6 county precincts 5 through 9, 83, 86, 108, 110, 410, 422
7 through 424, 448, 510, 567 and 601.

8 **SECTION 22. REPRESENTATIVE DISTRICT SIXTEEN.--**

9 Representative district sixteen is composed of Bernalillo
10 county precincts 23 through 28, 35 through 40, 48 and 119.

11 **SECTION 23. REPRESENTATIVE DISTRICT SEVENTEEN.--**

12 Representative district seventeen is composed of Bernalillo
13 county precincts 4, 10 through 18, 182, 191 through 197, 211,
14 438 and 455.

15 **SECTION 24. REPRESENTATIVE DISTRICT EIGHTEEN.--**

16 Representative district eighteen is composed of Bernalillo
17 county precincts 101, 215, 216, 223, 224, 241 through 245, 251
18 through 253, 255, 256, 271, 272, 274, 281, 282, 311, 312, 341
19 through 343, 351 through 353, 356 through 358 and 381 through
20 384.

21 **SECTION 25. REPRESENTATIVE DISTRICT NINETEEN.--**

22 Representative district nineteen is composed of Bernalillo
23 county precincts 102, 107, 246, 254, 257, 273, 275, 278, 283
24 through 287, 318, 321 through 323 and 326.

25 **SECTION 26. REPRESENTATIVE DISTRICT TWENTY.--**

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1 Representative district twenty is composed of Bernalillo county
2 precincts 289, 290, 293 through 297, 302, 324 and 327 through
3 333.

4 **SECTION 27. REPRESENTATIVE DISTRICT TWENTY-ONE.--**

5 Representative district twenty-one is composed of Bernalillo
6 county precincts 291, 292, 298 through 301, 306, 316, 317, 471,
7 472, 475 through 478, 534, 542 through 546 and 549.

8 **SECTION 28. REPRESENTATIVE DISTRICT TWENTY-TWO.--**

9 Representative district twenty-two is composed of Bernalillo
10 county precincts 303, 553 through 559 and 570 through 573;
11 Sandoval county precincts 5, 28, 29, 55, 56 and 76; and Santa
12 Fe county precincts 15, 73 and 84.

13 **SECTION 29. REPRESENTATIVE DISTRICT TWENTY-THREE.--**

14 Representative district twenty-three is composed of Bernalillo
15 county precincts 3, 20 through 22, 78, 79, 84, 89, 111, 112,
16 114 and 171; and Sandoval county precincts 12 and 57.

17 **SECTION 30. REPRESENTATIVE DISTRICT TWENTY-FOUR.--**

18 Representative district twenty-four is composed of Bernalillo
19 county precincts 413 through 417, 454, 461, 462, 465, 466, 491,
20 492, 494, 495, 502 through 509, 514 through 516, 521 through
21 524 and 528.

22 **SECTION 31. REPRESENTATIVE DISTRICT TWENTY-FIVE.--**

23 Representative district twenty-five is composed of Bernalillo
24 county precincts 313 through 315, 344 through 347, 354, 355,
25 371 through 375, 385 through 387, 411, 412, 431 through 437 and
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1 441 through 445.

2 SECTION 32. REPRESENTATIVE DISTRICT TWENTY-SIX.--

3 Representative district twenty-six is composed of Bernalillo
4 county precincts 29, 32, 34, 50, 55, 59, 70, 120, 136 and 138.

5 SECTION 33. REPRESENTATIVE DISTRICT TWENTY-SEVEN.--

6 Representative district twenty-seven is composed of Bernalillo
7 county precincts 407, 425 through 427, 447, 450, 456, 482, 484
8 through 490, 529, 563, 568 and 602.

9 SECTION 34. REPRESENTATIVE DISTRICT TWENTY-EIGHT.--

10 Representative district twenty-eight is composed of Bernalillo
11 county precincts 304, 305, 307, 308, 463, 464, 473, 474, 480,
12 517 through 519, 525 through 527, 530 through 533, 535, 536,
13 540, 547, 548, 550, 561, 564 and 565.

14 SECTION 35. REPRESENTATIVE DISTRICT TWENTY-NINE.--

15 Representative district twenty-nine is composed of Bernalillo
16 county precincts 1, 57, 80, 81, 113, 115, 117, 118, 127 through
17 129 and 134.

18 SECTION 36. REPRESENTATIVE DISTRICT THIRTY.--

19 Representative district thirty is composed of Bernalillo county
20 precincts 400 through 406, 408, 409, 418 through 421, 439, 440,
21 446, 481, 493, 496 through 500 and 511 through 513.

22 SECTION 37. REPRESENTATIVE DISTRICT THIRTY-ONE.--

23 Representative district thirty-one is composed of Bernalillo
24 county precincts 428 through 430, 449, 451 through 453, 483,
25 520, 537 through 539, 541, 560, 562, 566, 569 and 603.

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1 **SECTION 38. REPRESENTATIVE DISTRICT THIRTY-TWO.--**
2 Representative district thirty-two is composed of Grant county
3 precincts 8 through 10, 14, 18 through 29 and 32 through 34;
4 and Luna county precincts 2, 6, 8 and 10 through 12.

5 **SECTION 39. REPRESENTATIVE DISTRICT THIRTY-THREE.--**
6 Representative district thirty-three is composed of Dona Ana
7 county precincts 18, 23, 25, 31, 37 through 40, 48 through 50,
8 53, 55 through 58, 78, 101 and 108.

9 **SECTION 40. REPRESENTATIVE DISTRICT THIRTY-FOUR.--**
10 Representative district thirty-four is composed of Dona Ana
11 county precincts 13 through 17, 79, 82 and 96 through 98.

12 **SECTION 41. REPRESENTATIVE DISTRICT THIRTY-FIVE.--**
13 Representative district thirty-five is composed of Dona Ana
14 county precincts 26 through 30, 32 through 36, 41 through 47,
15 51, 52, 68, 70 through 72, 89 and 91 through 94.

16 **SECTION 42. REPRESENTATIVE DISTRICT THIRTY-SIX.--**
17 Representative district thirty-six is composed of Dona Ana
18 county precincts 1 through 4, 19 through 22, 24, 60, 84, 86
19 through 88, 90, 99, 100, 107, 111 and 115.

20 **SECTION 43. REPRESENTATIVE DISTRICT THIRTY-SEVEN.--**
21 Representative district thirty-seven is composed of Dona Ana
22 county precincts 59, 61, 62, 67, 69, 83, 85, 102, 103, 106,
23 109, 112, 113 and 116.

24 **SECTION 44. REPRESENTATIVE DISTRICT THIRTY-EIGHT.--**
25 Representative district thirty-eight is composed of Grant

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1 county precincts 1 through 7, 11 through 13, 15 through 17, 30,
2 31 and 35; Hidalgo county; and Luna county precincts 1, 3
3 through 5, 13 and 14.

4 SECTION 45. REPRESENTATIVE DISTRICT THIRTY-NINE.--

5 Representative district thirty-nine is composed of Sandoval
6 county precincts 47, 63, 65 through 69, 71, 73, 75, 80 and 84.

7 SECTION 46. REPRESENTATIVE DISTRICT FORTY.--

8 Representative district forty is composed of Rio Arriba county
9 precincts 2, 4, 6 and 13 through 17; Santa Fe county precincts
10 1 through 4, 58 and 79; and Taos county precincts 1 through 13,
11 22, 23, 27, 29 through 33 and 36.

12 SECTION 47. REPRESENTATIVE DISTRICT FORTY-ONE.--

13 Representative district forty-one is composed of Rio Arriba
14 county precincts 1, 3, 5, 7 through 12, 18 through 23, 25
15 through 28 and 30 through 42; and Sandoval county precincts 21
16 through 23.

17 SECTION 48. REPRESENTATIVE DISTRICT FORTY-TWO.--

18 Representative district forty-two is composed of Colfax county
19 precincts 1 through 4 and 11 through 21; Mora county precinct
20 5; and Taos county precincts 14 through 21, 24 through 26, 28,
21 34 and 35.

22 SECTION 49. REPRESENTATIVE DISTRICT FORTY-THREE.--

23 Representative district forty-three is composed of Los Alamos
24 county; Sandoval county precincts 7, 16, 18, 51, 78 and 79; and
25 Santa Fe county precincts 12, 62 and 80.

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1 **SECTION 50. REPRESENTATIVE DISTRICT FORTY-FOUR.--**

2 Representative district forty-four is composed of Sandoval
3 county precincts 34 through 39, 50, 52, 53, 58 through 62, 64,
4 74, 82 and 83.

5 **SECTION 51. REPRESENTATIVE DISTRICT FORTY-FIVE.--**

6 Representative district forty-five is composed of Santa Fe
7 county precincts 14, 35, 38, 39, 41, 49, 51, 56, 70, 74, 75, 78
8 and 86.

9 **SECTION 52. REPRESENTATIVE DISTRICT FORTY-SIX.--**

10 Representative district forty-six is composed of Santa Fe
11 county precincts 5, 7, 8, 10, 11, 23, 40, 59 through 61, 64,
12 66, 67, 82 and 87.

13 **SECTION 53. REPRESENTATIVE DISTRICT FORTY-SEVEN.--**

14 Representative district forty-seven is composed of Bernalillo
15 county precincts 551 and 552; Santa Fe county precincts 18 and
16 85; Torrance county precincts 3 through 5, 7, 10, 13, 15 and
17 16; and Valencia county precincts 5, 15, 16, 24 and 28.

18 **SECTION 54. REPRESENTATIVE DISTRICT FORTY-EIGHT.--**

19 Representative district forty-eight is composed of Santa Fe
20 county precincts 6, 20 through 22, 24 through 28, 31 through
21 34, 37, 42, 43, 50, 52 through 54, 76, 77 and 83.

22 **SECTION 55. REPRESENTATIVE DISTRICT FORTY-NINE.--**

23 Representative district forty-nine is composed of Catron
24 county; Dona Ana county precincts 63, 95 and 105; Sierra
25 county; and Socorro county precincts 3, 8 through 11, 13, 14,

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1 19 through 21, 24 and 26.

2 SECTION 56. REPRESENTATIVE DISTRICT FIFTY.--

3 Representative district fifty is composed of Santa Fe county
4 precincts 9, 13, 16, 17, 19, 29, 30, 36, 44 through 48, 55, 57,
5 63, 65, 68, 69, 71, 72, 81 and 88.

6 SECTION 57. REPRESENTATIVE DISTRICT FIFTY-ONE.--

7 Representative district fifty-one is composed of Dona Ana
8 county precincts 5, 64, 65, 117 and 119; and Otero county
9 precincts 15 through 17, 19, 20, 22, 26, 27, 30 through 34 and
10 39.

11 SECTION 58. REPRESENTATIVE DISTRICT FIFTY-TWO.--

12 Representative district fifty-two is composed of Dona Ana
13 county precincts 7 through 12, 54, 73, 77, 80, 81, 104, 110,
14 114 and 120.

15 SECTION 59. REPRESENTATIVE DISTRICT FIFTY-THREE.--

16 Representative district fifty-three is composed of Dona Ana
17 county precincts 6, 66, 74 through 76 and 118; and Otero county
18 precincts 1, 18, 35 and 41.

19 SECTION 60. REPRESENTATIVE DISTRICT FIFTY-FOUR.--

20 Representative district fifty-four is composed of Eddy county
21 precincts 2, 3, 6 through 8, 10, 29, 30, 34, 35, 38 through 41
22 and 44; and Otero county precincts 2, 3, 5, 9, 21, 23, 24, 36
23 and 40.

24 SECTION 61. REPRESENTATIVE DISTRICT FIFTY-FIVE.--

25 Representative district fifty-five is composed of Eddy county

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1 precincts 9, 11 through 21, 23, 25 through 28, 32, 33, 36, 37,
2 42 and 45.

3 SECTION 62. REPRESENTATIVE DISTRICT FIFTY-SIX.--

4 Representative district fifty-six is composed of Lincoln county
5 precincts 6, 8 through 11, 18 and 21; and Otero county
6 precincts 10 through 14, 25, 28, 29, 37 and 38.

7 SECTION 63. REPRESENTATIVE DISTRICT FIFTY-SEVEN.--

8 Representative district fifty-seven is composed of Chaves
9 county precincts 2 through 5, 7, 9 through 11 and 16; De Baca
10 county; Lincoln county precincts 1 through 5, 7, 13, 14, 17, 19
11 and 20; and Roosevelt county precincts 6 through 9 and 17.

12 SECTION 64. REPRESENTATIVE DISTRICT FIFTY-EIGHT.--

13 Representative district fifty-eight is composed of Chaves
14 county precincts 32, 34, 42, 43, 51, 52, 61 through 63, 71
15 through 73, 91 and 101 through 103; and Eddy county precincts
16 1, 4 and 5.

17 SECTION 65. REPRESENTATIVE DISTRICT FIFTY-NINE.--

18 Representative district fifty-nine is composed of Chaves county
19 precincts 12, 13, 21 through 25, 31, 33, 35, 36, 81 through 85,
20 90, 92 through 94 and 104; Lincoln county precincts 12, 15 and
21 16; and Otero county precincts 4 and 6 through 8.

22 SECTION 66. REPRESENTATIVE DISTRICT SIXTY.--

23 Representative district sixty is composed of Sandoval county
24 precincts 31, 32, 40 through 46, 48, 49, 70, 72, 81, 85 and 86.

25 SECTION 67. REPRESENTATIVE DISTRICT SIXTY-ONE.--

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1 Representative district sixty-one is composed of Lea county
2 precincts 12, 15 through 17, 31, 35, 36, 51 through 55, 61, 62
3 and 71 through 74.

4 **SECTION 68. REPRESENTATIVE DISTRICT SIXTY-TWO.--**

5 Representative district sixty-two is composed of Lea county
6 precincts 10, 18, 20 through 30, 32 through 34 and 41 through
7 44.

8 **SECTION 69. REPRESENTATIVE DISTRICT SIXTY-THREE.--**

9 Representative district sixty-three is composed of Guadalupe
10 county; San Miguel county precincts 1 through 3, 7, 8, 13, 16
11 through 18 and 25; Socorro county precincts 1, 2, 4 through 7,
12 12, 16 through 18, 22, 23 and 25; and Torrance county precincts
13 1, 2, 6, 8, 9, 11, 12 and 14.

14 **SECTION 70. REPRESENTATIVE DISTRICT SIXTY-FOUR.--**

15 Representative district sixty-four is composed of Curry county
16 precincts 3, 10 through 15, 17 through 24, 27, 31, 32 and 37.

17 **SECTION 71. REPRESENTATIVE DISTRICT SIXTY-FIVE.--**

18 Representative district sixty-five is composed of Bernalillo
19 county precinct 31; McKinley county precinct 12; Rio Arriba
20 county precincts 24 and 29; and Sandoval county precincts 1
21 through 4, 6, 8 through 10, 14, 15, 17, 19, 20 and 24 through
22 27.

23 **SECTION 72. REPRESENTATIVE DISTRICT SIXTY-SIX.--**

24 Representative district sixty-six is composed of Chaves county
25 precincts 1, 6, 14, 15, 41 and 44 through 47; Lea county

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1 precincts 2, 3, 11, 13 and 14; and Roosevelt county precincts 1
2 through 5, 10 through 13, 15, 18, 19 and 21.

3 **SECTION 73. REPRESENTATIVE DISTRICT SIXTY-SEVEN.--**

4 Representative district sixty-seven is composed of Curry county
5 precincts 1, 2, 4 through 9, 16, 25, 26, 28 through 30 and 33
6 through 36; Harding county; Quay county; and San Miguel county
7 precinct 15.

8 **SECTION 74. REPRESENTATIVE DISTRICT SIXTY-EIGHT.--**

9 Representative district sixty-eight is composed of Colfax
10 county precincts 5, 7, 10 and 22; Mora county precincts 1
11 through 4 and 6 through 11; San Miguel county precincts 4
12 through 6, 9 through 12, 14, 19 through 24 and 26 through 28;
13 and Union county.

14 **SECTION 75. REPRESENTATIVE DISTRICT SIXTY-NINE.--**

15 Representative district sixty-nine is composed of Cibola county
16 precincts 2, 3, 9 through 12 and 16 through 25; McKinley county
17 precincts 9, 11, 13 and 14; San Juan county precincts 14
18 through 16, 18 and 19; and Socorro county precinct 15.

19 **SECTION 76. REPRESENTATIVE DISTRICT SEVENTY.--**

20 Representative district seventy is composed of Bernalillo
21 county precincts 2, 19, 68, 69, 82, 85, 87, 116 and 170; and
22 Sandoval county precincts 11, 13, 30, 33 and 54.

23 **SECTION 77. ELECTION OF REPRESENTATIVES.--**Representatives

24 shall be elected from the districts described in the 2011 House
25 Redistricting Act at the 2012 and subsequent general elections.

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SECTION 78. TEMPORARY PROVISION--COMPILATION INSTRUCTIONS.--The compiler shall remove from the NMSA 1978 the provisions of Section 2-7D-1 NMSA 1978 (copy of state house of representative districts established by Final Judgment and Order in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (1st Dist. Ct., filed January 28, 2002)).

SECTION 79. REPEAL.--Sections 2-7C-1 through 2-7C-78 NMSA 1978 (being Laws 1991 (1st S.S.), Chapter 2, Sections 1 through 78) are repealed.