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SENATE JOINT RESOLUTION 16

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Daniel A. Ivey-Soto and James E. Smith

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 6 OF THE CONSTITUTION OF NEW MEXICO TO ALLOW THE LEGISLATURE TO SET THE DATE FOR FILING DECLARATIONS OF CANDIDACY FOR JUDICIAL RETENTION ELECTIONS.

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

SECTION 1. It is proposed to amend Article 6, Section 34 of the constitution of New Mexico to read:

"The office of any justice or judge subject to the provisions of [~~Section 33 of~~] Article 6, Section 33 of this constitution becomes vacant on January 1 immediately following the general election at which the justice or judge is rejected by more than forty-three percent of those voting on the question of [~~his~~] retention or rejection or on January 1 immediately following the date [~~he~~] the justice or judge fails to file a declaration of candidacy for the retention of [~~his~~]

underscoring material = new  
[bracketed material] = delete

1 the justice's or judge's office in the general election at  
2 which the justice or judge would be subject to retention or  
3 rejection by the electorate. Otherwise, the office becomes  
4 vacant upon the date of the death, resignation or removal by  
5 impeachment of the justice or judge. [~~The date for filing a~~  
6 ~~declaration of candidacy for retention of office shall be the~~  
7 ~~same as that for filing a declaration of candidacy in a primary~~  
8 ~~election.~~]"

9 SECTION 2. The amendment proposed by this resolution  
10 shall be submitted to the people for their approval or  
11 rejection at the next general election or at any special  
12 election prior to that date that may be called for that  
13 purpose.

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