SENATE JOINT RESOLUTION 14

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

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 2 OF THE CONSTITUTION OF NEW
MEXICO TO PROVIDE FOR A RIGHT TO EXPUNGEMENT OF CERTAIN
CRIMINAL RECORDS.

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

SECTION 1. It is proposed to amend Article 2 of the constitution of New Mexico by adding a new section to read:

"A. A person who is a victim of identity theft or is wrongfully arrested, indicted or charged for any crime; who has been released without conviction for a violation of a municipal ordinance, petty misdemeanor, misdemeanor or felony; or who has been convicted of one or more petty misdemeanors, misdemeanors or violations of a municipal ordinance arising out of one incident and has no other convictions after completion of the sentence shall have a right to petition to have the
arrest records and public records pertaining to the person's
arrest expunged.

B. The crimes that are subject to expungement,
exceptions to the right to expungement and the process required
to expunge one's records shall be as provided by law."

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