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SENATE JOINT RESOLUTION 14

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

INTRODUCED BY

Michael S. Sanchez

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

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1 arrest records and public records pertaining to the person's
2 arrest expunged.

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

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