

State of New Mexico  
Senate

FIFTY-THIRD LEGISLATURE  
FIRST SESSION

February 28, 2017

SENATE FLOOR AMENDMENT number \_\_\_\_\_ to SENATE BILL 337

Amendment sponsored by Senator Cliff R. Pirtle

1. On page 1, line 12, after "EXCEPTIONS;", insert "PROHIBITING PUBLIC SPEAKING IN THE ROTUNDA OF THE STATE CAPITOL WITHOUT A PERMIT; PROHIBITING THE BURNING OF THE FLAG OF THE UNITED STATES OR OF THE STATE OF NEW MEXICO;".

2. On page 2, between lines 16 and 17, insert the following new sections:

"SECTION 2. A new section of Chapter 2 NMSA 1978 is enacted to read:

"[NEW MATERIAL] PUBLIC SPEAKING IN STATE CAPITOL ROTUNDA--  
BACKGROUND CHECK AND PERMIT REQUIRED--NEW MEXICO LEGISLATIVE COUNCIL  
AND LEGISLATIVE BUILDING SERVICES DUTIES.--

A. The New Mexico legislative council shall adopt rules governing:

(1) the issuance of a public-speaking permit to allow a person to speak publicly in the rotunda of the state capitol; and

(2) the disqualification of a person from eligibility to receive a public-speaking permit based on the person's criminal background check.

B. A person who wishes to speak publicly in the rotunda of the state capitol shall:

(1) apply for a public-speaking permit from the legislative building services office in the state capitol; and

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(2) submit to a criminal background check.

C. Legislative building services shall issue a public-speaking permit only in accordance with rules adopted by the New Mexico legislative council pursuant to Subsection A of this section."

SECTION 3. A new section of the Criminal Code is enacted to read:

"[NEW MATERIAL] PUBLIC SPEAKING IN THE STATE CAPITOL WITHOUT A PERMIT--PENALTY.--

A. Public speaking in the state capitol without a permit consists of a person speaking publicly in the rotunda of the state capitol without a public-speaking permit issued by legislative building services in accordance with Section 2 of this 2017 act.

B. A person who commits public speaking in the state capitol without a permit is guilty of a misdemeanor."

SECTION 4. A new section of the Criminal Code is enacted to read:

"[NEW MATERIAL] FLAG BURNING--PENALTY.--

A. Flag burning consists of a person setting fire to a flag of the United States or of the state of New Mexico.

B. A person who commits flag burning is guilty of a misdemeanor.""

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\_\_\_\_\_  
Cliff R. Pirtle

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_