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SENATE JOINT RESOLUTION 12

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Mark Moores

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 6, SECTION 33 OF THE
CONSTITUTION OF NEW MEXICO TO PROVIDE THAT JUDICIAL ELECTIONS
BE NONPARTISAN.

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

SECTION 1. It is proposed to amend Article 6, Section 33
of the constitution of New Mexico to read:

"A. Each justice of the supreme court, judge of the
court of appeals, district judge or metropolitan court judge
shall have been elected to that position in a [~~partisan~~]
nonpartisan election process as provided by law prior to being
eligible for a nonpartisan retention election. Thereafter,
each such justice or judge shall be subject to retention or
rejection on a nonpartisan ballot. Retention of the judicial
office shall require at least fifty-seven percent of the vote

underscored material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 cast on the question of retention or rejection.

2 B. Each justice of the supreme court or judge of
3 the court of appeals shall be subject to retention or rejection
4 in like manner at the general election every eighth year.

5 C. Each district judge shall be subject to
6 retention or rejection in like manner at the general election
7 every sixth year.

8 D. Each metropolitan court judge shall be subject
9 to retention or rejection in like manner at the general
10 election every fourth year.

11 E. Every justice of the supreme court, judge of the
12 court of appeals, district judge or metropolitan court judge
13 who was elected to office in a partisan election and is holding
14 office on January 1 next following the date of the election at
15 which this amendment is adopted shall be deemed to have
16 fulfilled the requirements of Subsection A of this section, and
17 the justice or judge shall be eligible for retention or
18 rejection by the electorate at the general election next
19 preceding the end of the term of which the justice or judge was
20 last elected prior to the adoption of this amendment."

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

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