

1 SENATE JOINT RESOLUTION 5

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Gregg Schmedes

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO ARTICLE 10, SECTION 8 OF THE  
12 CONSTITUTION OF NEW MEXICO TO PROHIBIT STATE RULES OR  
13 REGULATIONS THAT MANDATE NEW OR INCREASED ACTIVITY OR SERVICE  
14 BY SCHOOL DISTRICTS OR CHARTER SCHOOLS FROM HAVING THE FORCE OF  
15 LAW UNLESS FUNDING FOR THOSE MANDATES IS PROVIDED.

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

18 SECTION 1. It is proposed to amend Article 10, Section 8  
19 of the constitution of New Mexico to read:

20 "A state rule or regulation mandating any county, [~~or~~  
21 ~~city]~~ municipality, school district or charter school to engage  
22 in any new activity, to provide any new service or to increase  
23 any current level of activity or to provide any service beyond  
24 that required by existing law, shall not have the force of law,  
25 unless, or until, the state provides sufficient new funding or

.218836.1

underscored material = new  
[bracketed material] = delete

1 a means of new funding to the county, [~~or city~~] municipality,  
2 school district or charter school to pay the cost of performing  
3 the mandated activity or service for the period of time during  
4 which the activity or service is required to be performed."

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

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