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SENATE JOINT RESOLUTION 21

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

INTRODUCED BY

Cliff R. Pirtle

A JOINT RESOLUTION

PROPOSING AMENDMENTS TO ARTICLE 6, SECTIONS 4 AND 8 OF THE
CONSTITUTION OF NEW MEXICO TO REQUIRE SUPREME COURT JUSTICES TO
BE ELECTED FROM DISTRICTS RATHER THAN IN STATEWIDE ELECTIONS
AND REQUIRING JUSTICES TO RESIDE IN THE DISTRICTS WHEN THEY ARE
FIRST ELECTED OR APPOINTED.

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

SECTION 1. It is proposed to amend Article 6, Section 4
of the constitution of New Mexico to read:

"A. The supreme court of the state shall consist of
at least five justices, who shall be chosen as provided in this
constitution. One of the justices shall be selected as chief
justice as provided by law.

B. The state shall be divided into at least five
supreme court districts from which the justices shall be

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1 elected, with one justice elected from each district, as
2 provided by law."

3 SECTION 2. It is proposed to amend Article 6, Section 8
4 of the constitution of New Mexico to read:

5 "A. No person shall be qualified to hold the office
6 of justice of the supreme court unless that person is at least
7 thirty-five years old and has been in the actual practice of
8 law for at least ten years preceding that person's assumption
9 of office and has resided in this state for at least three
10 years immediately preceding that person's assumption of office.
11 The actual practice of law shall include a lawyer's service
12 upon the bench of any court of this state. [~~The increased~~
13 ~~qualifications provided by this 1988 amendment shall not apply~~
14 ~~to justices and judges serving at the time this amendment~~
15 ~~passes or elected at the general election in 1988.~~]

16 B. Beginning in 2024, when a justice of the supreme
17 court is first elected to office or appointed to fill a
18 vacancy, the justice shall reside in the district from which
19 the justice is elected or appointed, as provided by law."

20 SECTION 3. The amendments proposed by this resolution
21 shall be submitted to the people for their approval or
22 rejection at the next general election or at any special
23 election prior to that date that may be called for that
24 purpose.