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SENATE BILL 2

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2021

INTRODUCED BY

Linda M. Lopez and Daniel A. Ivey-Soto

AN ACT

RELATING TO THE REDISTRICTING OF THE SENATE; ESTABLISHING SENATORIAL DISTRICTS; PROVIDING THE METHOD FOR ELECTING SENATORS; PROVIDING FOR THE FILLING OF VACANCIES; SETTING PRECINCTS; FIXING THE NUMBER, RESIDENCE AND TERMS OF SENATORS; REPEALING AND ENACTING SECTIONS OF THE NMSA 1978.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be cited as the "2021 Senate Redistricting Act".

SECTION 2. [NEW MATERIAL] MEMBERSHIP.--The senate is composed of forty-two members to be elected from districts that are contiguous and that are as compact as is practicable.

SECTION 3. [NEW MATERIAL] RESIDENCE.--At the time of filing a declaration of candidacy for the office of senator, the candidate shall reside in the district for which the

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1 candidate files. Thereafter, if a senator permanently removes
2 the senator's residence from or maintains no residence in the
3 district from which the senator was elected, the senator shall
4 be deemed to have resigned, and the senator's successor shall
5 be selected as provided in Section 4 of the 2021 Senate
6 Redistricting Act.

7 SECTION 4. [NEW MATERIAL] ELECTIONS--VACANCIES.--

8 A. Members of the senate shall be elected for terms
9 of four years.

10 B. If a vacancy occurs in the office of senator for
11 any reason, the vacancy shall be filled as follows:

12 (1) for a senate district that is situated
13 wholly within the exterior boundaries of a single county, the
14 board of county commissioners of that county shall appoint the
15 senator to fill the vacancy; and

16 (2) for a senate district situated within two
17 or more counties:

18 (a) the board of county commissioners of
19 each county in the senate district shall submit one name to the
20 governor; and

21 (b) the governor shall appoint the
22 senator to fill the vacancy from the list of names so
23 submitted.

24 C. All appointments to fill vacancies in the senate
25 shall be for a term ending on December 31 subsequent to the

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1 next succeeding general election, at which general election a
2 person shall be elected to fill the remainder of any unexpired
3 term.

4 D. An appointment to fill a vacancy made before the
5 general election of 2024 shall be made from the district as it
6 was described in Section 2-8E-1 NMSA 1978, as established by
7 the court in *Egolf v. Duran*, D-101-CV-2011-02942 (1st Dist.
8 Ct., Judgement and Final Order (State Senate Trial) filed
9 January 25, 2012). On or after the general election of 2024, a
10 vacancy shall be filled by appointment from the district as set
11 out in the 2021 Senate Redistricting Act.

12 SECTION 5. [NEW MATERIAL] PRECINCTS.--

13 A. Precinct designations and boundaries used in the
14 2021 Senate Redistricting Act are those precinct designations
15 and boundaries established pursuant to the Precinct Boundary
16 Adjustment Act and revised and approved pursuant to that act by
17 the secretary of state as of November 30, 2021.

18 B. A board of county commissioners shall not create
19 any precinct that lies in more than one senate district and
20 shall not divide any precinct so that the divided parts of the
21 precinct are situated in two or more senate districts. Votes
22 cast in any general, primary or other statewide election from
23 precincts created or divided in violation of this subsection
24 are invalid and shall not be counted or canvassed.

25 SECTION 6. [NEW MATERIAL] DISTRICTS.--The districts of

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1 the senate shall be as set out in Sections 7 through 48 of the
2 2021 Senate Redistricting Act.

3 SECTION 7. [NEW MATERIAL] SENATE DISTRICT ONE.--Senate
4 district one is composed of San Juan county precincts 19, 21
5 through 23, 25 through 40, 43, 45, 46, 49 through 53, 56, 105
6 through 107, 109, 110 and 121.

7 SECTION 8. [NEW MATERIAL] SENATE DISTRICT TWO.--Senate
8 district two is composed of San Juan county precincts 41, 42,
9 44, 47, 48, 54, 55, 57, 58, 60 through 82, 90 and 99 through
10 104.

11 SECTION 9. [NEW MATERIAL] SENATE DISTRICT THREE.--Senate
12 district three is composed of McKinley county precincts 2, 5
13 through 8, 20, 21, 34, 35, 37 through 40, 42 through 44, 46
14 through 49, 56, 59, 63, 67, 68 and 70; and San Juan county
15 precincts 1 through 8, 11 through 13, 17, 18, 20, 24, 59, 108,
16 120 and 130 through 134.

17 SECTION 10. [NEW MATERIAL] SENATE DISTRICT FOUR.--Senate
18 district four is composed of Cibola county precincts 4 through
19 8, 10 through 16, 26, 28 and 30; McKinley county precincts 1,
20 3, 4, 17 through 19, 22 through 26, 28, 31 through 33, 36, 41,
21 45, 50, 52 through 55, 57, 58, 64, 65 and 69; and San Juan
22 county precincts 9 and 10.

23 SECTION 11. [NEW MATERIAL] SENATE DISTRICT FIVE.--Senate
24 district five is composed of Los Alamos county precincts 9
25 through 23; Rio Arriba county precincts 5, 10 through 14, 25

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1 through 28, 36 through 40, 45 through 48 and 56 through 69;
2 Sandoval county precinct 51; and Santa Fe county precincts 1,
3 58, 79 and 118.

4 SECTION 12. [NEW MATERIAL] SENATE DISTRICT SIX.--Senate
5 district six is composed of Los Alamos county precincts 1
6 through 8; Rio Arriba county precincts 49 and 70 through 74;
7 Santa Fe county precincts 2 through 5, 23, 40, 59 through 61,
8 87 and 128; and Taos county precincts 1, 2, 5 through 17, 19
9 through 42 and 44 through 47.

10 SECTION 13. [NEW MATERIAL] SENATE DISTRICT SEVEN.--Senate
11 district seven is composed of Curry county precincts 1 through
12 4, 7 through 24, 26 through 28, 32 through 35 and 37 through
13 43; Harding county precinct 3; Quay county precincts 1 through
14 4 and 6 through 11; and Union county.

15 SECTION 14. [NEW MATERIAL] SENATE DISTRICT EIGHT.--Senate
16 district eight is composed of Colfax county; Guadalupe county;
17 Harding county precincts 1 and 2; Mora county; Quay county
18 precincts 5 and 12; San Miguel county precincts 1 through 12,
19 14 through 17, 19, 21, 25 through 30 and 32 through 34; and
20 Taos county precincts 3, 4, 18 and 43.

21 SECTION 15. [NEW MATERIAL] SENATE DISTRICT NINE.--Senate
22 district nine is composed of Bernalillo county precincts 2, 78,
23 79, 84, 89, 171 through 173, 179, 200, 232, 248, 624, 627 and
24 642; and Sandoval county precincts 1 through 6, 11 through 13,
25 29, 33, 35, 36, 38, 52 through 57, 59, 64, 74, 76, 87 through

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1 90, 92 through 94, 98, 99, 102, 112 through 114, 119, 130
2 through 133, 140, 141, 153 and 154.

3 SECTION 16. [NEW MATERIAL] SENATE DISTRICT TEN.--Senate
4 district ten is composed of Bernalillo county precincts 3
5 through 6, 8 through 13, 19, 82, 83, 85, 86, 100, 108, 111
6 through 114, 121, 126, 127, 150 through 155, 162, 163, 166, 180
7 through 184, 201 through 205, 219, 220, 222, 238, 257, 276,
8 277, 279, 605, 628, 634, 640 and 645 through 649.

9 SECTION 17. [NEW MATERIAL] SENATE DISTRICT
10 ELEVEN.--Senate district eleven is composed of Bernalillo
11 county precincts 32, 41, 43 through 45, 49 through 51, 53, 56,
12 59, 60, 64 through 66, 71, 74, 130, 137 through 140, 147
13 through 149, 190, 236, 237, 239, 240, 267, 367, 604, 619, 621
14 and 654.

15 SECTION 18. [NEW MATERIAL] SENATE DISTRICT TWELVE.--
16 Senate district twelve is composed of Bernalillo county
17 precincts 68, 69, 80, 116, 128, 174, 175, 177, 230, 261, 610,
18 623, 625, 635 through 637, 641, 644 and 686; and Sandoval
19 county precincts 30 through 32, 40 through 46, 48, 49, 62, 72,
20 73, 81, 86, 96, 97, 105 through 108, 117, 128, 129, 138, 139,
21 147, 148, 151 and 157.

22 SECTION 19. [NEW MATERIAL] SENATE DISTRICT THIRTEEN.--
23 Senate district thirteen is composed of Bernalillo county
24 precincts 7, 14 through 18, 95, 103 through 106, 122 through
25 125, 131 through 133, 135, 161, 164, 165, 185 through 188, 191
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1 through 197, 211, 212, 214 through 216, 218, 221, 224 through
2 226, 259, 338, 341, 345, 369, 375, 455, 613, 651, 661 and 668.

3 SECTION 20. [NEW MATERIAL] SENATE DISTRICT FOURTEEN.--
4 Senate district fourteen is composed of Bernalillo county
5 precincts 42, 52, 54, 63, 67, 72, 73, 75 through 77, 90 through
6 92, 94, 96 through 99, 109, 141 through 146, 213, 247, 260,
7 262, 268 through 270, 288, 340, 600, 620, 629, 630, 638 and
8 655.

9 SECTION 21. [NEW MATERIAL] SENATE DISTRICT FIFTEEN.--
10 Senate district fifteen is composed of Bernalillo county
11 precincts 346, 347, 359, 370, 400 through 409, 411, 421, 431
12 through 446, 466, 481, 488, 490 through 494, 496 through 500,
13 511, 513, 581, 662 and 666.

14 SECTION 22. [NEW MATERIAL] SENATE DISTRICT SIXTEEN.--
15 Senate district sixteen is composed of Bernalillo county
16 precincts 101, 102, 107, 223, 235, 241 through 246, 251 through
17 256, 258, 266, 271 through 274, 278, 289, 290, 324, 325, 332,
18 342 through 344, 349 through 358, 363, 371, 374, 377, 381
19 through 387 and 660.

20 SECTION 23. [NEW MATERIAL] SENATE DISTRICT SEVENTEEN.--
21 Senate district seventeen is composed of Bernalillo county
22 precincts 275, 280 through 287, 291, 292, 296, 310 through 312,
23 318 through 323, 326 through 331, 336, 337, 378, 379, 476
24 through 478, 591 and 671.

25 SECTION 24. [NEW MATERIAL] SENATE DISTRICT EIGHTEEN.--

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1 Senate district eighteen is composed of Bernalillo county
2 precincts 313 through 317, 365, 366, 368, 372, 373, 376, 380,
3 388, 396, 397, 412 through 417, 428, 449 through 454, 461
4 through 463, 465, 471, 475, 482 through 484, 495, 502, 507
5 through 509, 512, 514, 515, 517, 521 through 524, 528, 529,
6 538, 562, 563, 583, 663, 670, 675 through 677 and 679.

7 SECTION 25. [NEW MATERIAL] SENATE DISTRICT NINETEEN.--

8 Senate district nineteen is composed of Bernalillo county
9 precincts 294, 295, 301 through 304, 307, 309, 333, 334, 392,
10 393, 539, 551 through 559, 567, 569 through 580, 582, 595
11 through 597, 658, 659 and 681; Sandoval county precinct 28;
12 Santa Fe county precincts 15, 16, 18, 19, 73, 84, 85, 115, 125,
13 148, 156 and 157; and Tarrant county precincts 5, 6, 13, 15
14 and 17 through 22.

15 SECTION 26. [NEW MATERIAL] SENATE DISTRICT TWENTY.--

16 Senate district twenty is composed of Bernalillo county
17 precincts 293, 297 through 300, 305, 306, 308, 335, 348, 364,
18 389, 391, 395, 464, 472 through 474, 480, 503 through 506, 516,
19 518, 519, 525 through 527, 530 through 537, 540, 542 through
20 550, 561, 564 through 566, 603, 656, 657, 672, 678 and 680.

21 SECTION 27. [NEW MATERIAL] SENATE DISTRICT TWENTY-ONE.--

22 Senate district twenty-one is composed of Bernalillo county
23 precincts 339, 360 through 362, 390, 398, 410, 418 through 420,
24 422 through 427, 429, 430, 447, 448, 456 through 460, 467
25 through 470, 479, 485 through 487, 489, 501, 510, 520, 541,

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1 560, 568, 584 through 590, 592 through 594, 598, 601, 602, 608,
2 664, 665, 667, 669, 673, 674 and 682 through 685.

3 SECTION 28. [NEW MATERIAL] SENATE DISTRICT TWENTY-TWO.--
4 Senate district twenty-two is composed of Bernalillo county
5 precinct 31; McKinley county precincts 9 through 16, 51, 60
6 through 62 and 71; Rio Arriba county precincts 1 through 4, 21
7 through 24 and 35; Sandoval county precincts 7 through 10, 14
8 through 27, 65, 66, 75, 77 through 79, 91, 95, 120 through 123
9 and 135; and San Juan county precincts 14 through 16 and 83.

10 SECTION 29. [NEW MATERIAL] SENATE DISTRICT TWENTY-
11 THREE.--Senate district twenty-three is composed of Bernalillo
12 county precincts 1, 20 through 22, 24 through 26, 30, 55, 57,
13 81, 87, 110, 115, 117, 118, 129, 136, 168, 170, 176, 206
14 through 210, 217, 227 through 229, 231, 249, 264, 265, 606,
15 609, 611, 612, 614 through 616, 626, 631, 632, 643, 650, 652,
16 653 and 687.

17 SECTION 30. [NEW MATERIAL] SENATE DISTRICT TWENTY-FOUR.--
18 Senate district twenty-four is composed of Santa Fe county
19 precincts 24, 25, 31 through 35, 38, 39, 41, 42, 49 through 51,
20 56, 64, 66, 67, 74 through 76, 78, 86, 97 through 99, 105, 106,
21 108, 109, 116, 133, 135 through 138, 140 through 144, 149, 151,
22 159, 160, 170, 174, 176, 178 and 179.

23 SECTION 31. [NEW MATERIAL] SENATE DISTRICT TWENTY-FIVE.--
24 Senate district twenty-five is composed of Santa Fe county
25 precincts 6 through 11, 13, 20 through 22, 26 through 30, 36,

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1 37, 43 through 48, 52 through 55, 57, 63, 68, 69, 77, 81
2 through 83, 90 through 92, 94 through 96, 100 through 104, 117,
3 119 through 124, 127, 129 through 132, 139, 146, 147, 152, 153,
4 155, 158, 161 through 165, 169, 171 through 173 and 177.

5 SECTION 32. [NEW MATERIAL] SENATE DISTRICT TWENTY-SIX.--

6 Senate district twenty-six is composed of Bernalillo county
7 precincts 23, 27 through 29, 33 through 40, 46 through 48, 61,
8 62, 70, 119, 120, 134, 156 through 160, 167, 169, 178, 189,
9 198, 199, 233, 234, 263, 394, 399, 599, 607, 617, 618, 622, 633
10 and 639.

11 SECTION 33. [NEW MATERIAL] SENATE DISTRICT TWENTY-

12 SEVEN.--Senate district twenty-seven is composed of Chaves
13 county precincts 1 through 5, 7 through 12, 17, 18, 21, 40, 41
14 and 44 through 47; Curry county precincts 5, 6, 25, 29 through
15 31 and 36; De Baca county; Lea county precincts 2, 3, 8, 10 and
16 13; and Roosevelt county.

17 SECTION 34. [NEW MATERIAL] SENATE DISTRICT TWENTY-

18 EIGHT.--Senate district twenty-eight is composed of Grant
19 county precincts 7 through 9, 11 through 34 and 36 through 39;
20 Hidalgo county precincts 1 through 3, 5 and 6; and Luna county
21 precincts 1 and 3 through 17.

22 SECTION 35. [NEW MATERIAL] SENATE DISTRICT TWENTY-NINE.--

23 Senate district twenty-nine is composed of Socorro county
24 precincts 1 through 3, 7 through 10, 16 through 23, 25 and 27;
25 and Valencia county precincts 2, 4 through 6, 8 through 11, 14,

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1 15, 18 through 22, 25, 26, 29, 31 through 36, 40, 43, 45, 46,
2 48, 51, 53, 57 through 63 and 66.

3 SECTION 36. [NEW MATERIAL] SENATE DISTRICT THIRTY.--
4 Senate district thirty is composed of Bernalillo county
5 precincts 58, 88, 93 and 250; Cibola county precincts 1 through
6 3, 9, 17 through 25, 27 and 29; McKinley county precincts 27,
7 29, 30 and 66; Socorro county precincts 15 and 24; and Valencia
8 county precincts 1, 3, 7, 12, 13, 17, 23, 27, 37, 39, 41, 42,
9 44, 52, 54, 55, 64 and 65.

10 SECTION 37. [NEW MATERIAL] SENATE DISTRICT THIRTY-ONE.--
11 Senate district thirty-one is composed of Dona Ana county
12 precincts 11 through 13, 15, 74 through 76, 80, 81, 97, 104,
13 114, 120, 152, 157 through 170, 188 and 189; and Otero county
14 precincts 1 and 41 through 45.

15 SECTION 38. [NEW MATERIAL] SENATE DISTRICT THIRTY-TWO.--
16 Senate district thirty-two is composed of Chaves county
17 precincts 6, 13 through 16, 20, 22 through 25, 31 through 36,
18 42, 43, 51, 52, 61 through 64, 71 through 74, 81 through 85, 90
19 through 95 and 101 through 106; and Eddy county precincts 7 and
20 41.

21 SECTION 39. [NEW MATERIAL] SENATE DISTRICT THIRTY-
22 THREE.--Senate district thirty-three is composed of Lincoln
23 county; and Otero county precincts 6 through 14, 21, 23 through
24 25, 27 through 29, 33, 37 through 40, 50 through 58, 64 and 65.

25 SECTION 40. [NEW MATERIAL] SENATE DISTRICT THIRTY-FOUR.--

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1 Senate district thirty-four is composed of Eddy county
2 precincts 1 through 6, 8, 15, 22, 24, 29 through 31, 34, 35, 37
3 through 40, 42, 43, 46, 51 and 53; and Otero county precincts 2
4 through 5, 15 through 20, 22, 26, 30 through 32, 34 through 36,
5 46 through 49, 59 through 63 and 66.

6 SECTION 41. [NEW MATERIAL] SENATE DISTRICT THIRTY-
7 FIVE.--Senate district thirty-five is composed of Catron
8 county; Dona Ana county precincts 3, 5, 21, 62, 64 through 66,
9 100, 105, 107, 118, 119, 121, 122, 128, 129, 132, 134, 171
10 through 175, 182 and 185; Grant county precincts 1 through 6,
11 10 and 35; Hidalgo county precinct 4; Luna county precincts 2
12 and 18; Sierra county; and Socorro county precincts 4 through
13 6, 11 through 14 and 26.

14 SECTION 42. [NEW MATERIAL] SENATE DISTRICT THIRTY-SIX.--
15 Senate district thirty-six is composed of Dona Ana county
16 precincts 1, 2, 4, 20, 22, 24, 25, 29, 30, 32, 33, 35, 36, 41
17 through 44, 48, 60, 61, 63, 83 through 90, 92 through 95, 99,
18 109, 111, 115, 123 through 127, 135, 136, 177, 179, 183 and
19 190.

20 SECTION 43. [NEW MATERIAL] SENATE DISTRICT THIRTY-
21 SEVEN.--Senate district thirty-seven is composed of Dona Ana
22 county precincts 6, 26 through 28, 34, 45 through 47, 50
23 through 52, 59, 67 through 73, 77, 91, 102, 103, 106, 110, 112,
24 113, 116, 117, 130, 131, 133, 137 through 144, 149, 153, 176,
25 178, 180, 181 and 186.

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1 SECTION 44. [NEW MATERIAL] SENATE DISTRICT THIRTY-
2 EIGHT.--Senate district thirty-eight is composed of Dona Ana
3 county precincts 7 through 10, 14, 16 through 19, 23, 31, 37
4 through 40, 49, 53 through 58, 78, 79, 82, 96, 98, 101, 108,
5 145 through 148, 150, 151, 154 through 156, 184 and 187.

6 SECTION 45. [NEW MATERIAL] SENATE DISTRICT THIRTY-NINE.--
7 Senate district thirty-nine is composed of San Miguel county
8 precincts 13, 18, 20, 22 through 24 and 31; Santa Fe county
9 precincts 12, 14, 17, 62, 65, 70 through 72, 80, 88, 89, 93,
10 107, 110 through 114, 126, 134, 145, 150, 154, 166 through 168
11 and 175; Torrance county precincts 1 through 4, 7 through 12,
12 14 and 16; and Valencia county precincts 16, 24, 28, 30, 38,
13 47, 49, 50 and 56.

14 SECTION 46. [NEW MATERIAL] SENATE DISTRICT FORTY.--Senate
15 district forty is composed of Sandoval county precincts 34, 37,
16 39, 47, 50, 58, 60, 61, 63, 67 through 71, 80, 82 through 85,
17 100, 101, 103, 104, 109 through 111, 115, 116, 118, 124 through
18 127, 134, 136, 137, 142 through 146, 149, 150, 152, 155 and
19 156.

20 SECTION 47. [NEW MATERIAL] SENATE DISTRICT FORTY-ONE.--
21 Senate district forty-one is composed of Eddy county precincts
22 9 through 14, 16 through 21, 23, 25 through 28, 32, 33, 36, 44,
23 45, 47 through 50, 52 and 54; and Lea county precincts 9, 11,
24 12, 14 through 17, 50, 62 and 71 through 74.

25 SECTION 48. [NEW MATERIAL] SENATE DISTRICT FORTY-TWO.--

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1 Senate district forty-two is composed of Lea county precincts
2 18 through 44, 51 through 59 and 61.

3 SECTION 49. [NEW MATERIAL] ELECTION OF SENATORS.--
4 Senators shall be elected from the districts described in the
5 2021 Senate Redistricting Act at the 2024 and subsequent
6 general elections.

7 SECTION 50. TEMPORARY PROVISION--COMPILATION
8 INSTRUCTIONS.--The compiler shall remove from the NMSA 1978 the
9 provisions of Section 2-8E-1 NMSA 1978 (copy of state senate
10 districts established by Judgment and Final Order in *Egolf v.*
11 *Duran*, D-101-CV-2011-02942 (1st Dist. Ct., filed January 25,
12 2012)).

13 SECTION 51. REPEAL.--Sections 2-8D-1 through 2-8D-49 NMSA
14 1978 (being Laws 2002, Chapter 98, Sections 1 through 49) are
15 repealed.