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SENATE BILL 4

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

INTRODUCED BY

Cliff R. Pirtle and Gregory A. Baca

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, 25
5 through 40, 43 through 46, 49 through 53, 55, 56, 77, 100
6 through 107, 109 and 110.

7 SECTION 8. [NEW MATERIAL] SENATE DISTRICT TWO.--Senate
8 district two is composed of Rio Arriba county precincts 1 and
9 2; and San Juan county precincts 3, 21, 22, 41, 42, 47, 48, 54,
10 57 through 76, 78 through 83, 90, 99, 108, 121 and 131.

11 SECTION 9. [NEW MATERIAL] SENATE DISTRICT THREE.--Senate
12 district three is composed of McKinley county precincts 2, 4
13 through 11, 13, 15, 20, 21, 31, 33 through 39, 41, 42, 47, 59
14 through 61, 63, 67, 68, 70 and 71; and San Juan county
15 precincts 1, 2, 4 through 8, 13, 14, 16 through 18, 20, 23, 24,
16 120, 130 and 132 through 134.

17 SECTION 10. [NEW MATERIAL] SENATE DISTRICT FOUR.--Senate
18 district four is composed of Cibola county precincts 4 through
19 6, 14, 15, 26, 28 and 30; McKinley county precincts 1, 3, 14,
20 16 through 19, 22 through 29, 32, 40, 43 through 46, 48 through
21 58, 64, 65 and 69; and San Juan county precincts 9 through 12.

22 SECTION 11. [NEW MATERIAL] SENATE DISTRICT FIVE.--Senate
23 district five is composed of Los Alamos county precincts 1 and
24 9 through 23; Rio Arriba county precincts 4, 5, 11 through 14,
25 25 through 28, 36 through 40, 45 through 48, 56 through 63 and

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1 65 through 69; Sandoval county precinct 51; and Santa Fe county
2 precincts 1, 58, 79 and 118.

3 SECTION 12. [NEW MATERIAL] SENATE DISTRICT SIX.--Senate
4 district six is composed of Los Alamos county precincts 4
5 through 8; Rio Arriba county precincts 49, 64 and 70 through
6 74; Santa Fe county precincts 2 through 7, 23, 40, 59 through
7 61, 87 and 128; and Taos county precincts 1, 2, 5, 6, 8 through
8 17, 19 through 25, 27 through 32 and 34 through 47.

9 SECTION 13. [NEW MATERIAL] SENATE DISTRICT SEVEN.--Senate
10 district seven is composed of Curry county precincts 1, 2, 5, 8
11 through 15, 17 through 28, 30, 32 through 35 and 37 through 43;
12 Quay county precincts 2 through 4 and 6 through 10; and Union
13 county.

14 SECTION 14. [NEW MATERIAL] SENATE DISTRICT EIGHT.--Senate
15 district eight is composed of Colfax county; Curry county
16 precincts 3, 4 and 16; De Baca county; Guadalupe county
17 precincts 1 through 3; Harding county; Mora county; Quay county
18 precincts 1, 5, 11 and 12; Roosevelt county precinct 6; San
19 Miguel county precincts 1 through 12, 14, 15, 25 through 30, 33
20 and 34; and Taos county precincts 3, 4, 7, 18, 26 and 33.

21 SECTION 15. [NEW MATERIAL] SENATE DISTRICT NINE.--Senate
22 district nine is composed of Bernalillo county precincts 6,
23 220, 567 and 574; and Sandoval county precincts 1 through 3, 11
24 through 13, 29 through 36, 38, 53 through 55, 57, 59, 62, 64,
25 72, 74, 83, 86 through 88, 92 through 94, 96 through 99, 102,

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1 112, 113, 117, 128 through 133, 136, 139 through 141, 147, 148,
2 153 and 154.

3 SECTION 16. [NEW MATERIAL] SENATE DISTRICT TEN.--Senate
4 district ten is composed of Bernalillo county precincts 2, 3,
5 19, 68, 69, 78, 79, 83 through 85, 87, 89, 100, 108, 116, 129,
6 170 through 177, 179, 200, 201, 222, 232, 248, 249, 261, 605,
7 610, 623, 624, 627, 628, 641 through 645 and 686; and Sandoval
8 county precincts 46, 70, 85, 107, 108, 138 and 157.

9 SECTION 17. [NEW MATERIAL] SENATE DISTRICT ELEVEN.--
10 Senate district eleven is composed of Bernalillo county
11 precincts 32, 33, 41 through 44, 49 through 51, 53, 56, 59, 60,
12 66, 71, 74, 130, 137 through 140, 147 through 149, 190, 236,
13 237, 239, 240, 267, 340, 367, 604, 619, 621 and 654.

14 SECTION 18. [NEW MATERIAL] SENATE DISTRICT TWELVE.--
15 Senate district twelve is composed of Bernalillo county
16 precincts 45, 46, 61 through 65, 67, 95, 101, 103 through 106,
17 121 through 125, 131 through 133, 135, 154, 161 through 166,
18 211, 212, 214 through 216, 221, 223 through 226, 235, 266, 338,
19 341, 344 through 346, 613, 634 and 640.

20 SECTION 19. [NEW MATERIAL] SENATE DISTRICT THIRTEEN.--
21 Senate district thirteen is composed of Bernalillo county
22 precincts 4, 5, 7 through 14, 16 through 18, 30, 86, 126, 150
23 through 153, 155, 169, 178, 180 through 188, 191, 192, 194
24 through 197, 209, 210, 218, 219, 238, 257, 259, 263, 276, 277,
25 279, 369, 455, 646, 651, 661 and 668.

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1 SECTION 20. [NEW MATERIAL] SENATE DISTRICT FOURTEEN.--
2 Senate district fourteen is composed of Bernalillo county
3 precincts 52, 54, 57, 58, 72, 73, 75 through 77, 88, 90 through
4 92, 94, 96 through 99, 109, 141 through 146, 247, 250, 260,
5 262, 268 through 270, 288, 600, 620, 622, 629, 630, 638 and
6 655.

7 SECTION 21. [NEW MATERIAL] SENATE DISTRICT FIFTEEN.--
8 Senate district fifteen is composed of Bernalillo county
9 precincts 15, 193, 347, 359, 375, 400 through 406, 408, 409,
10 411, 413 through 417, 431 through 446, 465, 466, 471, 481, 488,
11 490 through 494, 496 through 500, 581, 663, 666 and 670.

12 SECTION 22. [NEW MATERIAL] SENATE DISTRICT SIXTEEN.--
13 Senate district sixteen is composed of Bernalillo county
14 precincts 102, 107, 213, 241 through 246, 251 through 256, 258,
15 271 through 274, 278, 281, 311 through 317, 319, 342, 343, 351
16 through 358, 363, 371 through 374, 377, 381 through 387, 412,
17 475 and 591.

18 SECTION 23. [NEW MATERIAL] SENATE DISTRICT SEVENTEEN.--
19 Senate district seventeen is composed of Bernalillo county
20 precincts 275, 280, 282 through 287, 291, 292, 296, 310, 318,
21 320 through 324, 326 through 331, 335 through 337, 378, 379,
22 476 through 478, 534, 542 and 671.

23 SECTION 24. [NEW MATERIAL] SENATE DISTRICT EIGHTEEN.--
24 Senate district eighteen is composed of Bernalillo county
25 precincts 362, 365, 366, 368, 376, 380, 388 through 390, 396,
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1 397, 428 through 430, 449 through 454, 461 through 464, 472
2 through 474, 482 through 484, 495, 502 through 509, 511 through
3 516, 520, 522, 523, 528, 529, 531 through 533, 538, 562, 563,
4 583, 675, 677 and 679.

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

6 Senate district nineteen is composed of Bernalillo county
7 precincts 289, 290, 294, 325, 332, 334, 349, 350, 551 through
8 554, 556 through 559, 570 through 573, 575 through 580, 582,
9 595 through 597 and 660; Santa Fe county precincts 15, 16, 18,
10 19, 73, 84, 85, 115, 125, 148, 156 and 157; Tarrant county
11 precincts 3 through 7, 13 and 15 through 22; and Valencia
12 county precincts 16, 28 and 50.

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

14 Senate district twenty is composed of Bernalillo county
15 precincts 293, 295, 297 through 309, 333, 348, 364, 391, 393,
16 395, 480, 517 through 519, 521, 524 through 527, 530, 535
17 through 537, 540, 543 through 550, 555, 561, 564 through 566,
18 585 through 588, 603, 656 through 659, 672, 676, 678 and 680.

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

20 Senate district twenty-one is composed of Bernalillo county
21 precincts 339, 360, 361, 370, 392, 398, 407, 410, 418 through
22 427, 447, 448, 456 through 460, 467 through 470, 479, 485
23 through 487, 489, 501, 510, 539, 541, 560, 568, 569, 584, 589,
24 590, 592 through 594, 598, 601, 602, 608, 662, 664, 665, 667,
25 669, 673, 674 and 681 through 685.

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1 SECTION 28. [NEW MATERIAL] SENATE DISTRICT TWENTY-TWO.--
2 Senate district twenty-two is composed of McKinley county
3 precincts 12 and 62; Rio Arriba county precincts 3, 10, 21
4 through 24 and 35; Sandoval county precincts 4 through 10, 14
5 through 28, 50, 52, 56, 58, 63, 65, 66, 75 through 79, 82, 89
6 through 91, 95, 111, 114 through 116, 119 through 123, 135, 143
7 and 149; and San Juan county precinct 15.

8 SECTION 29. [NEW MATERIAL] SENATE DISTRICT TWENTY-
9 THREE.--Senate district twenty-three is composed of Bernalillo
10 county precincts 1, 20 through 22, 24, 25, 80 through 82, 110
11 through 115, 117, 118, 127, 128, 189, 202 through 208, 217, 227
12 through 231, 264, 606, 609, 611, 612, 614 through 616, 625,
13 626, 631, 632, 635 through 637, 647 through 650 and 652.

14 SECTION 30. [NEW MATERIAL] SENATE DISTRICT TWENTY-FOUR.--
15 Senate district twenty-four is composed of Santa Fe county
16 precincts 11, 24, 31, 32, 34, 35, 38, 39, 41, 42, 49 through
17 51, 64, 66, 67, 74 through 76, 78, 86, 89, 92, 97 through 99,
18 105, 106, 108, 109, 116, 133, 135 through 138, 140 through 144,
19 149, 155, 159, 170, 174, 176, 178 and 179.

20 SECTION 31. [NEW MATERIAL] SENATE DISTRICT TWENTY-FIVE.--
21 Senate district twenty-five is composed of Los Alamos county
22 precincts 2 and 3; San Miguel county precincts 23 and 31; and
23 Santa Fe county precincts 8 through 10, 13, 20 through 22, 25
24 through 30, 33, 36, 37, 43 through 48, 52 through 55, 57, 68,
25 77, 81 through 83, 90, 91, 94 through 96, 100 through 104, 117,

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1 119 through 124, 127, 130 through 132, 146, 147, 152, 153, 158,
2 160 through 164, 169, 171 through 173 and 177.

3 SECTION 32. [NEW MATERIAL] SENATE DISTRICT TWENTY-SIX.--
4 Senate district twenty-six is composed of Bernalillo county
5 precincts 23, 26 through 29, 34 through 40, 47, 48, 55, 70,
6 119, 120, 134, 136, 156 through 160, 167, 168, 198, 199, 233,
7 234, 265, 394, 399, 599, 607, 617, 618, 633, 639, 653 and 687.

8 SECTION 33. [NEW MATERIAL] SENATE DISTRICT TWENTY-
9 SEVEN.--Senate district twenty-seven is composed of Chaves
10 county precincts 1 through 8, 10, 17, 40, 41, 44 through 47, 73
11 and 101; Curry county precincts 6, 7, 29, 31 and 36; Lea county
12 precincts 2, 3, 10, 11, 21, 26, 27 and 39; and Roosevelt county
13 precincts 1 through 5 and 7 through 21.

14 SECTION 34. [NEW MATERIAL] SENATE DISTRICT TWENTY-
15 EIGHT.--Senate district twenty-eight is composed of Catron
16 county precincts 1 and 3; Grant county precincts 1 through 29
17 and 32 through 39; Hidalgo county precincts 1 through 4; Sierra
18 county precinct 3; Socorro county precincts 1 through 14, 16
19 through 23 and 25 through 27; Torrance county precincts 9 and
20 10; and Valencia county precinct 48.

21 SECTION 35. [NEW MATERIAL] SENATE DISTRICT TWENTY-NINE.--
22 Senate district twenty-nine is composed of Bernalillo county
23 precincts 31 and 93; and Valencia county precincts 2, 3, 5
24 through 8, 13 through 15, 19, 21 through 27, 29 through 32, 34
25 through 36, 38, 45 through 47, 49, 51 through 53, 56 through 62

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1 and 66.

2 SECTION 36. [NEW MATERIAL] SENATE DISTRICT THIRTY.--

3 Senate district thirty is composed of Catron county precincts 2
4 and 4 through 9; Cibola county precincts 1 through 3, 7 through
5 13, 16 through 25, 27 and 29; McKinley county precincts 30 and
6 66; Socorro county precincts 15 and 24; and Valencia county
7 precincts 1, 4, 9 through 12, 17, 18, 20, 33, 37, 39 through
8 44, 54, 55 and 63 through 65.

9 SECTION 37. [NEW MATERIAL] SENATE DISTRICT THIRTY-ONE.--

10 Senate district thirty-one is composed of Dona Ana county
11 precincts 6, 9 through 15, 70, 71, 73, 74, 76, 77, 80, 81, 97,
12 104, 110, 114, 120, 149, 152, 153, 155 through 160, 162 through
13 170, 188 and 189.

14 SECTION 38. [NEW MATERIAL] SENATE DISTRICT THIRTY-TWO.--

15 Senate district thirty-two is composed of Chaves county
16 precincts 14 through 16, 23 through 25, 32 through 34, 42, 43,
17 51, 52, 61 through 64, 71, 72, 74, 81 through 85, 90 through 95
18 and 102 through 106; Eddy county precincts 2, 22 and 39 through
19 41; and Otero county precincts 7 through 9, 21, 23, 24, 40, 57,
20 58 and 64.

21 SECTION 39. [NEW MATERIAL] SENATE DISTRICT THIRTY-

22 THREE.--Senate district thirty-three is composed of Chaves
23 county precincts 9, 11 through 13, 18, 20 through 22, 31, 35
24 and 36; Lincoln county precincts 8 through 12, 15, 18 and 22
25 through 25; and Otero county precincts 10 through 13, 15, 16,

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1 19, 20, 22, 25 through 33, 37 through 39, 51 through 56, 63 and
2 65.

3 SECTION 40. [NEW MATERIAL] SENATE DISTRICT THIRTY-FOUR.--
4 Senate district thirty-four is composed of Dona Ana county
5 precincts 75 and 161; Eddy county precincts 13 through 18, 26,
6 27, 29, 30, 34, 35, 38, 45, 47 and 51; and Otero county
7 precincts 1 through 6, 17, 18, 34 through 36, 41 through 50, 59
8 through 62 and 66.

9 SECTION 41. [NEW MATERIAL] SENATE DISTRICT THIRTY-FIVE.--
10 Senate district thirty-five is composed of Dona Ana county
11 precincts 1 through 3, 18, 19, 60, 95, 107, 108, 146, 148 and
12 185; Grant county precincts 30 and 31; Hidalgo county precincts
13 5 and 6; Lincoln county precinct 13; Luna county; Otero county
14 precinct 14; and Sierra county precincts 1, 2 and 4 through 12.

15 SECTION 42. [NEW MATERIAL] SENATE DISTRICT THIRTY-SIX.--
16 Senate district thirty-six is composed of Dona Ana county
17 precincts 4, 20 through 37, 41 through 44, 63, 83 through 94,
18 99, 100, 111, 115, 123, 124, 127, 136, 145, 177, 179, 182
19 through 184 and 190.

20 SECTION 43. [NEW MATERIAL] SENATE DISTRICT THIRTY-
21 SEVEN.--Senate district thirty-seven is composed of Dona Ana
22 county precincts 5, 59, 61, 62, 64 through 66, 102, 105, 106,
23 109, 112, 113, 116 through 119, 121, 122, 125, 126, 128 through
24 135, 137, 139 through 144, 171 through 176, 178, 180 and 181.

25 SECTION 44. [NEW MATERIAL] SENATE DISTRICT THIRTY-

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1 EIGHT.--Senate district thirty-eight is composed of Dona Ana
2 county precincts 7, 8, 16, 17, 38 through 40, 45 through 58, 67
3 through 69, 72, 78, 79, 82, 96, 98, 101, 103, 138, 147, 150,
4 151, 154, 186 and 187.

5 SECTION 45. [NEW MATERIAL] SENATE DISTRICT THIRTY-NINE.--
6 Senate district thirty-nine is composed of Guadalupe county
7 precincts 4 and 5; Lincoln county precincts 1 through 7, 14,
8 16, 17, 19 through 21 and 26 through 29; San Miguel county
9 precincts 13, 16 through 22, 24 and 32; Santa Fe county
10 precincts 12, 14, 17, 56, 62, 63, 65, 69 through 72, 80, 88,
11 93, 107, 110 through 114, 126, 129, 134, 139, 145, 150, 151,
12 154, 165 through 168 and 175; and Torrance county precincts 1,
13 2, 8, 11, 12 and 14.

14 SECTION 46. [NEW MATERIAL] SENATE DISTRICT FORTY.--Senate
15 district forty is composed of Sandoval county precincts 37, 39
16 through 45, 47 through 49, 60, 61, 67 through 69, 71, 73, 80,
17 81, 84, 100, 101, 103 through 106, 109, 110, 118, 124 through
18 127, 134, 137, 142, 144 through 146, 150 through 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 12, 19 through 21, 23, 25, 32, 33, 44, 49, 50 and 52;
23 and Lea county precincts 28, 29, 33 through 35, 40 through 44,
24 50 through 55, 58, 59, 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 Eddy county precincts
2 1, 3 through 8, 24, 28, 31, 36, 37, 42, 43, 46, 48, 53 and 54;
3 and Lea county precincts 8, 9, 12 through 20, 22 through 25, 30
4 through 32, 36 through 38, 56, 57 and 61.

5 SECTION 49. [NEW MATERIAL] ELECTION OF SENATORS.--

6 Senators shall be elected from the districts described in the
7 2021 Senate Redistricting Act at the 2024 and subsequent
8 general elections.

9 SECTION 50. TEMPORARY PROVISION--COMPILATION

10 INSTRUCTIONS.--The compiler shall remove from the NMSA 1978 the
11 provisions of Section 2-8E-1 NMSA 1978 (copy of state senate
12 districts established by Judgment and Final Order in *Egolf v.*
13 *Duran*, D-101-CV-2011-02942 (1st Dist. Ct., filed January 25,
14 2012)).

15 SECTION 51. REPEAL.--Sections 2-8D-1 through 2-8D-49 NMSA

16 1978 (being Laws 2002, Chapter 98, Sections 1 through 49) are
17 repealed.