

HOUSE BILL 116

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO THE LEGISLATURE; DIRECTING THE LEGISLATIVE COUNCIL SERVICE TO DEVELOP AN ONGOING STATUTORY REVISION PROGRAM; CREATING THE POSITION OF THE REVISOR OF STATUTES WITHIN THE LEGISLATIVE COUNCIL SERVICE; PROVIDING DUTIES; INCLUDING THE REVISOR OF STATUTES AS A MEMBER OF THE NEW MEXICO COMPILATION COMMISSION; PROVIDING REPORTING REQUIREMENTS HJC→; **MAKING AN APPROPRIATION**←HJC .

.221195.1AIC January 31, 2022 (6:07pm)

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

SECTION 1. [NEW MATERIAL] STATUTORY REVISION PROGRAM.--

A. The New Mexico legislative council shall direct the legislative council service to develop and implement a permanent and ongoing statutory revision program for the systematic and continuous study of the statutes and possible technical revisions to those statutes on an annual basis. The purpose of the statutory revision program shall be to make the statutes more accessible, understandable and usable.

B. The director of the legislative council service shall oversee the statutory revision program.

C. When providing a draft revision of a statute, the legislative council service shall not alter the sense, meaning or effect of the statute. The statutory revision program shall be performed in consultation with the New Mexico compilation commission.

D. Prior to January 1 of each year, the director of the legislative council service shall make available to the New Mexico legislative council draft legislation consistent with the purpose of this section. Any conflicts or matters requiring policy decisions or substantive revisions shall be made clear with alternative provisions to illustrate the varying options available.

HJC→~~E. The speaker of the house of representatives may refer the legislation prepared pursuant to this section to appropriate house standing committees, and the senate majority~~

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~~leader may recommend referrals of the legislation prepared pursuant to this section to appropriate senate standing committees.~~ ←HJC

SECTION 2. [NEW MATERIAL] REVISOR OF STATUTES--
LEGISLATIVE COUNCIL SERVICE.--

A. The position of "revisor of statutes" is created within the legislative council service. The revisor of statutes shall be a staff member of the legislative council service and shall report to and serve at the pleasure of the director of the legislative council service.

B. The revisor of statutes shall:

(1) assist the legislative council service in carrying out the provisions of the statutory revision program provided for in Section 1 of this 2022 act;

(2) call to the attention of the New Mexico legislative council conflicting, obsolete or inoperable statutes and such other matters as the New Mexico legislative council deems necessary;

(3) coordinate with the New Mexico compilation commission to ensure the clarity and accessibility of the statutes; and

(4) perform all other duties as provided by the director of the legislative council service.

SECTION 3. Section 2-3-8 NMSA 1978 (being Laws 1951, Chapter 182, Section 4, as amended) is amended to read:

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"2-3-8. PURPOSE AND DUTIES OF LEGISLATIVE COUNCIL

SERVICE.--The purpose and duties of the legislative council service [~~shall be~~] are:

A. to assist the legislature [~~of the State of New Mexico~~] in the proper performance of its constitutional functions by providing its members with impartial and accurate information and reports concerning the legislative problems [~~which~~] that come before them; by providing digests showing the practices of other states and foreign nations in dealing with similar problems;

B. when so requested, to secure information for and to report to the legislators of this state on the social and economic effects of statutes of this state or elsewhere by cooperating with the legislative service agencies in other states and other reference agencies and libraries;

C. to furnish to the members of the legislature [~~of this state~~] the assistance of expert [~~draftsmen~~] drafters qualified to aid the legislators in the preparation of bills for introduction into the legislature;

D. to recommend, pursuant to Section 1 of this 2022 act, to the legislature measures [~~which~~] that will improve the form and working of the statutes of this state and clarify and reconcile their provisions;

E. to provide for the legislature adequate staff facilities and to provide the adequate expert assistance

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without which no legislature can properly perform its required functions; and

F. to prepare and index for printing as promptly as possible after the adjournment of each session the session laws [~~therefor~~] of that session, which compilation shall include all resolutions and acts [~~which~~] that the legislature has adopted or passed during the session and that have received the approval of the governor when such approval is necessary."

SECTION 4. Section 12-1-2 NMSA 1978 (being Laws 1953, Chapter 39, Section 2, as amended) is amended to read:

"12-1-2. NEW MEXICO COMPILATION COMMISSION--CREATION.--
The "New Mexico compilation commission" is created. The commission consists of the:

A. chief justice of the supreme court or a justice designated by the chief justice, who shall act as president of the commission; [~~the~~]

B. clerk of the supreme court; [~~the~~]

C. attorney general or a deputy or assistant attorney general designated by the attorney general; [~~the~~]

D. dean of the university of New Mexico school of law or the dean's designee; [~~the~~]

E. director of the legislative council service;

F. revisor of statutes of the legislative council service; and [~~the~~]

G. president of the state bar of New Mexico or a

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bar commissioner designated by the president of the state bar of New Mexico."

SECTION 5. APPROPRIATION.--One hundred thousand dollars (\$100,000) is appropriated from H AFC → ~~the general fund~~ ← H AFC H AFC → legislative cash balances ← H AFC to the legislative council service for expenditure in fiscal year 2023 to employ a revisor of statutes to administer the statutory revision program. Any unexpended or unencumbered balance remaining at the end of fiscal year 2023 shall revert to H AFC → ~~the general fund~~ ← H AFC H AFC → legislative cash balances ← H AFC .

SECTION 6. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2023.