

1 SENATE JOINT RESOLUTION 3

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Craig W. Brandt

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO ARTICLE 6, SECTION 33 OF THE
12 CONSTITUTION OF NEW MEXICO TO REQUIRE ELECTIONS FOR JUSTICE OF
13 THE SUPREME COURT, JUDGE OF THE COURT OF APPEALS, DISTRICT
14 JUDGE AND METROPOLITAN COURT JUDGE TO BE NONPARTISAN.

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

17 SECTION 1. It is proposed to amend Article 6, Section 33
18 of the constitution of New Mexico to read:

19 "A. Each justice of the supreme court, judge of the
20 court of appeals, district judge or metropolitan court judge
21 shall have been elected to that position in a [~~partisan~~]
22 nonpartisan election process as provided by law prior to being
23 eligible for a nonpartisan retention election. Thereafter,
24 each such justice or judge shall be subject to retention or
25 rejection on a nonpartisan ballot. Retention of the judicial

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1 office shall require at least fifty-seven percent of the vote
2 cast on the question of retention or rejection.

3 B. Each justice of the supreme court or judge of
4 the court of appeals shall be subject to retention or rejection
5 in like manner [~~at the general election~~] every eighth year.

6 C. Each district judge shall be subject to
7 retention or rejection in like manner [~~at the general election~~]
8 every sixth year.

9 D. Each metropolitan court judge shall be subject
10 to retention or rejection in like manner [~~at the general~~
11 ~~election~~] every fourth year.

12 E. Every justice of the supreme court, judge of the
13 court of appeals, district judge or metropolitan court judge
14 who was elected to office in a partisan election and is holding
15 office on January 1 next following the date of the election at
16 which this amendment is adopted shall be deemed to have
17 fulfilled the requirements of Subsection A of this section, and
18 the justice or judge shall be eligible for retention or
19 rejection by the electorate at the general election next
20 preceding the end of the term of which the justice or judge was
21 last elected prior to the adoption of this amendment."

22 SECTION 2. The amendment proposed by this resolution
23 shall be submitted to the people for their approval or
24 rejection at the next general election or at any special
25 election prior to that date that may be called for that

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