

<b>LFC Requester:</b>	
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**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**      X      **Amendment**    \_\_\_\_\_  
**Correction**    \_\_\_\_\_    **Substitute**    \_\_\_\_\_

**Date Prepared:**   1/16/24    
**Bill No:**   HJR2  

**Sponsor:**   The Honorable Matthew  
McQueen and Jason C.  
Harper  

**Agency Name and  
Code Number:**   305 – New Mexico  
Department of Justice  

**Short  
Title:**   Eliminate Pocket Vetoes,  
CA  

**Person Writing  
Analysis:**   Daniel Rubin    
**Phone:**   505-537-7676    
**Email:**   legisfir@nmag.gov  

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

*This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.*

**BILL SUMMARY**

House Joint Resolution (“HJR”) 2 proposes to amend the New Mexico Constitution at Article IV, Section 22. If passed and enacted by the voters, the amendments would eliminate what is colloquially known as a governor’s ability “pocket veto” a bill approved by both houses and presented to the governor within the last three days of that legislative session. Currently, such an approved bill automatically fails if not approved by the governor within twenty days of adjournment of the legislature at the session it was passed. This bill would require the governor to veto it, or otherwise it would become law. It would further require the governor to include “an explanation for the veto” when returning it to the legislature. The bill would also reformat Section 1 into four district lettered paragraphs.

**FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

None noted.

**SIGNIFICANT ISSUES**

Pursuant to Article XIX, Section 1, if this bill is approved by a majority of both houses “voting separately in favor thereof,” the amendments would not become effective unless approved “by a majority of the electors” at the next regular election or “at a special election to be held not less than six months after the adjournment of the legislature, at such time and in such manner as the legislature may provide.”

**PERFORMANCE IMPLICATIONS**

The governor may be less likely to veto bills approved by the legislature and presented to the governor during the last three days of that session if a formal veto and explanation is required. This bill also would result in consistent veto process for all bills regardless of when presented to the governor.

## **ADMINISTRATIVE IMPLICATIONS**

**None noted.**

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None noted.

## **TECHNICAL ISSUES**

None noted.

## **OTHER SUBSTANTIVE ISSUES**

None noted.

## **ALTERNATIVES**

None noted.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

## **AMENDMENTS**