

FIFTY-SEVENTH LEGISLATURE
FIRST SESSION

February 28, 2025

SENATE FLOOR AMENDMENT number _____ to SENATE BILL 299, as amended
Amendment sponsored by Senator Nicole Tobiassen

1. On page 1, line 11, after the semicolon, insert "PROVIDING A PROCESS FOR A LEGISLATOR TO PROVIDE NOTICE OF RESIGNATION; REQUIRING THE SECRETARY OF STATE TO CREATE AN EMAIL ADDRESS AND A FORM FOR LEGISLATIVE RESIGNATIONS; PROVIDING DUTIES OF THE SECRETARY OF STATE;".

2. On page 1, line 21, after "by", strike the remainder of the line, strike lines 22 and 23 and on line 24, strike "resignation" and insert in lieu thereof "providing notice in the manner required pursuant to Subsection A of Section 2-1-1.1 NMSA 1978, and upon the submission of that notice".

3. On page 2, line 1, strike "fifteen days" and insert in lieu thereof "five business days".

4. On page 2, line 2, strike "vacancy of a legislative office" and insert in lieu thereof "legislative resignation".

5. On page 2, line 3, after "the", strike the remainder of the line and strike line 4 and insert in lieu thereof a colon and:

"(1) governor;

(2) presiding officer of the respective legislative chamber; and

(3) county commissioners of all counties in the district of the vacant legislative office.""

6. On page 2, between lines 4 and 5, insert:

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"SECTION 2. A new Section 2-1-1.1 NMSA 1978 is enacted to read:

"2-1-1.1. [NEW MATERIAL] RESIGNATION OF MEMBERS--NOTICE REQUIREMENTS.--

A. A member of the legislature who seeks to resign shall provide notice to the secretary of state in the following manner:

(1) the legislator shall send an email from the legislator's government email address indicating the legislator's resignation to the email address designated by the secretary of state to receive legislative resignation notices pursuant to Subsection A of Section 2-1-1.2 NMSA 1978; and

(2) the legislator shall complete a legislative resignation form provided by the secretary of state pursuant to Subsection B of Section 2-1-1.2 NMSA 1978.

B. The legislator's resignation shall be effective upon the date specified by the legislator on the form supplied by the secretary of state pursuant to Subsection B of Section 2-1-1.2 NMSA 1978."

SECTION 3. A new Section 2-1-1.2 NMSA 1978 is enacted to read:

"2-1-1.2. [NEW MATERIAL] RESIGNATION OF MEMBERS--SECRETARY OF STATE--DUTIES--EMAIL ADDRESS--FORMS.--

A. The secretary of state shall create and designate an email address to receive the legislative resignation emails required pursuant to Subsection A of Section 2-1-1.1 NMSA 1978, which shall provide an automated confirmation email as a response to all received legislative resignation emails. The secretary of state shall ensure that the address provided pursuant to this subsection is securely managed to prevent unauthorized access.

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B. The secretary of state shall develop and provide the form required pursuant to Paragraph (2) of Subsection A of Section 2-1-1.1 NMSA 1978 on an internal legislative web address designated by the secretary of state. The form shall include:

- (1) necessary space for a legislator to provide:
 - (a) the legislator's full name, district number and office held;
 - (b) the effective date of the resignation;
 - (c) a statement of resignation; and
 - (d) the legislator's electronic signature; and
- (2) a verification checkbox, which shall indicate that the submission of such a resignation is final and non-retractable.

C. A legislative resignation shall be subject to the Inspection of Public Records Act; provided that the secretary of state shall ensure that the integrity of the legislative resignation process is maintained."

SECTION 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2025."

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Nicole Tobiassen

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____