

underscored material = new
[bracketed material] = delete

HOUSE BILL 318

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO CIVIL ACTIONS; CREATING A CAUSE OF ACTION TO
RECOVER DAMAGES FOR THE INTENTIONAL OBSTRUCTION, PREVENTION OR
INFRINGEMENT OF THE EXERCISE OR ENJOYMENT OF RIGHTS, PRIVILEGES
OR IMMUNITIES SECURED BY THE UNITED STATES CONSTITUTION;
PROVIDING A LIMITATION ON COMMENCING THE ACTION; PROVIDING THE
RULE OF PRACTICE AND DECISION FOR THE ACTION.

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

SECTION 1. A new section of Chapter 41 NMSA 1978 is
enacted to read:

"[NEW MATERIAL] ACTION FOR DAMAGES--OBSTRUCTION,
PREVENTION OR INFRINGEMENT OF THE EXERCISE OR ENJOYMENT OF
RIGHTS, PRIVILEGES OR IMMUNITIES.--

A. As used in this section, "rights, privileges or
immunities" means the individual rights, privileges and

.233550.1

1 immunities secured by the United States constitution.

2 B. A person whose exercise or enjoyment of rights,
3 privileges or immunities is intentionally obstructed, prevented
4 or infringed upon by another person through unlawful force,
5 fraud or coercion or other unlawful means may maintain an
6 action for damages in district court against the other person
7 in the other person's individual capacity, regardless of
8 whether the other person was acting under color of federal law.
9 Such an action shall be commenced within three years from the
10 date the action accrues.

11 C. The rule of practice and decision for
12 intentional torts in New Mexico shall apply to an action
13 commenced pursuant to this section."

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