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**SENATE BILL 38**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2001**

**INTRODUCED BY**

**Richard M. Romero**

**AN ACT**

**RELATING TO THE REDISTRICTING OF THE SENATE; ESTABLISHING  
SENATORIAL DISTRICTS; PROVIDING THE METHOD FOR ELECTING  
SENATORS; PROVIDING FOR THE FILLING OF VACANCIES; FIXING THE  
NUMBER, RESIDENCE AND TERMS OF SENATORS; REPEALING AND  
ENACTING SECTIONS OF THE NMSA 1978.**

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

**Section 1. SHORT TITLE.** -- This act may be cited as the  
"2001 Senate Redistricting Act".

**Section 2. MEMBERSHIP.** -- The senate is composed of forty-  
two members to be elected from districts that are contiguous  
and that are as compact as is practical.

**Section 3. RESIDENCE.** -- At the time of filing a  
declaration of candidacy for the office of state senator, the  
candidate shall reside in the district for which he files.

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1 Thereafter, if a senator permanently removes his residence  
2 from or maintains no residence in the district from which he  
3 was elected, he shall be deemed to have resigned and his  
4 successor shall be selected as provided in Section 4 of the  
5 2001 Senate Redistricting Act.

6 Section 4. ELECTIONS--VACANCIES.--

7 A. Members of the senate shall be elected for  
8 terms of four years.

9 B. If a vacancy occurs in the office of senator  
10 for any reason, the vacancy shall be filled as follows:

11 (1) for a senate district that is situated  
12 wholly within the exterior boundaries of a single county, the  
13 board of county commissioners of that county shall appoint the  
14 senator to fill the vacancy; and

15 (2) for a senate district situated within two  
16 or more counties:

17 (a) the board of county commissioners  
18 of each county in the senate district shall submit one name to  
19 the governor; and

20 (b) the governor shall appoint the  
21 senator to fill the vacancy from the list of names so  
22 submitted.

23 C. An appointment to fill a vacancy in the senate  
24 shall be for a term ending on December 31 after the next  
25 general election.

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1           D. An appointment to fill a vacancy made before  
2 the general election of 2004 shall be made from the district  
3 as it was described in Laws 1991 (1st S.S.), Chapter 3,  
4 Sections 7 through 48. After the general election of 2004, a  
5 vacancy shall be filled by appointment from the district set  
6 out in the 2001 Senate Redistricting Act.

7           Section 5.   PRECINCTS. --

8           A. Precinct designations and boundaries used in  
9 the 2001 Senate Redistricting Act are those precinct  
10 designations and boundaries established pursuant to the  
11 Precinct Boundary Adjustment Act and revised and approved  
12 pursuant to that act by the secretary of state as of August  
13 31, 2001.

14           B. A board of county commissioners shall not  
15 create any precinct that lies in more than one senate district  
16 and shall not divide any precinct so that the divided parts of  
17 the precinct are situated in two or more senate districts.  
18 Votes cast in a statewide election from precincts created or  
19 divided in violation of this subsection are invalid and shall  
20 not be counted or canvassed.

21           Section 6.   DISTRICTS. --The districts of the senate shall  
22 be as set out in Sections 7 through 48 of the 2001 Senate  
23 Redistricting Act.

24           Section 7.   SENATE DISTRICT ONE. --Senate district one is  
25 composed of San Juan county precincts 20 through 29, 31, 40

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1 through 45, 49, 51 through 59 and 79.

2 Section 8. SENATE DISTRICT TWO. --Senate district two is  
3 composed of San Juan county precincts 11 through 13, 18, 19,  
4 30, 46, 47, 60 through 76 and 81.

5 Section 9. SENATE DISTRICT THREE. --Senate district three  
6 is composed of McKinley county precincts 1, 4 through 6, 20,  
7 21, 31, 34 through 38, 41 and 49; and San Juan county  
8 precincts 1 through 10, 14 through 16 and 82 through 86.

9 Section 10. SENATE DISTRICT FOUR. --Senate district four  
10 is composed of Cibola county precincts 5 and 6; and McKinley  
11 county precincts 3, 7, 18, 19, 22 through 30, 32, 33, 39, 40,  
12 42 through 48 and 50.

13 Section 11. SENATE DISTRICT FIVE. --Senate district five  
14 is composed of Los Alamos county precincts 14 and 16; Rio  
15 Arriba county precincts 1 through 20, 22, 23, 26, 27 and 30  
16 through 41; Santa Fe county precinct 58; and Taos county  
17 precincts 1, 22 and 23.

18 Section 12. SENATE DISTRICT SIX. --Senate district six is  
19 composed of Mora county precinct 5; Santa Fe county precincts  
20 1 through 7, 23, 40, 59 through 61 and 79; and Taos county  
21 precincts 2 through 21 and 24 through 35.

22 Section 13. SENATE DISTRICT SEVEN. --Senate district  
23 seven is composed of Colfax county; Curry county precincts 1  
24 through 3, 10, 16 through 19, 34, 35 and 37; Harding county;  
25 Mora county precincts 1 through 4 and 6 through 11; Quay

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1 county; San Miguel county precinct 15; and Union county.

2 Section 14. SENATE DISTRICT EIGHT. -- Senate district  
3 eight is composed of Guadalupe county; San Miguel county  
4 precincts 1 through 12, 14 and 25 through 28; Santa Fe county  
5 precincts 16, 18, 19 and 85; and Torrance county precincts 1  
6 through 4 and 6 through 13.

7 Section 15. SENATE DISTRICT NINE. -- Senate district nine  
8 is composed of Sandoval county precincts 11, 31 through 37, 39  
9 through 49, 53, 54, 59 through 62 and 67.

10 Section 16. SENATE DISTRICT TEN. -- Senate district ten is  
11 composed of Bernalillo county precincts 3 through 10, 13, 83,  
12 84, 86, 410, 418, 422 through 425, 485, 486, 510 and 601; and  
13 Sandoval county precincts 12 and 13.

14 Section 17. SENATE DISTRICT ELEVEN. -- Senate district  
15 eleven is composed of Bernalillo county precincts 41 through  
16 44, 49, 50, 52 through 54, 73, 74, 88, 90 through 92 and 97.

17 Section 18. SENATE DISTRICT TWELVE. -- Senate district  
18 twelve is composed of Bernalillo county precincts 45, 61, 62,  
19 64 through 66, 71, 101, 121 through 125, 131, 132, 162 through  
20 166, 211, 212, 214 through 217, 221, 223, 341, 344 through  
21 346, 374, 375, 431 through 433 and 442 through 444.

22 Section 19. SENATE DISTRICT THIRTEEN. -- Senate district  
23 thirteen is composed of Bernalillo county precincts 11, 12, 14  
24 through 18, 30, 150 through 154, 161, 180 through 187, 191  
25 through 197, 347, 420 and 438.

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1           Section 20.   SENATE DISTRICT FOURTEEN. --Senate district  
2 fourteen is composed of Bernalillo county precincts 63, 67,  
3 72, 75 through 77, 93 through 96, 98, 99, 102 through 107,  
4 133, 135, 224 through 226, 246 and 256; and Valencia county  
5 precincts 4, 9, 11, 13, 18 and 28.

6           Section 21.   SENATE DISTRICT FIFTEEN. --Senate district  
7 fifteen is composed of Bernalillo county precincts 316, 400  
8 through 409, 411 through 417, 419, 421, 434 through 437, 439,  
9 440, 445, 446, 466, 481, 488 through 494 and 496 through 500.

10          Section 22.   SENATE DISTRICT SIXTEEN. --Senate district  
11 sixteen is composed of Bernalillo county precincts 241 through  
12 245, 251 through 255, 257, 258, 271 through 275, 278, 281,  
13 311, 313 through 315, 317, 342, 343, 351 through 358, 371  
14 through 373, 381 through 387 and 441.

15          Section 23.   SENATE DISTRICT SEVENTEEN. --Senate district  
16 seventeen is composed of Bernalillo county precincts 282  
17 through 287, 291 through 293, 312, 318, 321 through 323, 326  
18 through 331, 477 and 478.

19          Section 24.   SENATE DISTRICT EIGHTEEN. --Senate district  
20 eighteen is composed of Bernalillo county precincts 450, 453,  
21 461 through 465, 471 through 476, 482, 484, 487, 495, 502  
22 through 504, 506 through 509, 511 through 515, 523, 528, 529,  
23 531 through 533, 538, 562, 563 and 568.

24          Section 25.   SENATE DISTRICT NINETEEN. --Senate district  
25 nineteen is composed of Bernalillo county precincts 289, 290,

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1 294 through 299, 301 through 303, 332, 333, 551 through 559,  
2 571 and 573; Sandoval county precincts 6, 28 and 56; Santa Fe  
3 county precincts 15, 73 and 84; and Torrance county precinct  
4 5.

5 Section 26. SENATE DISTRICT TWENTY. -- Senate district  
6 twenty is composed of Bernalillo county precincts 300, 304  
7 through 308, 454, 480, 505, 516 through 519, 521, 522, 524  
8 through 527, 530, 534 through 536, 540, 542 through 550, 561  
9 and 564 through 566.

10 Section 27. SENATE DISTRICT TWENTY-ONE. -- Senate district  
11 twenty-one is composed of Bernalillo county precincts 426  
12 through 430, 447, 449, 451, 452, 483, 520, 537, 539, 541, 560,  
13 567, 569 and 602; and Sandoval county precincts 1 through 3,  
14 5, 29, 38, 55 and 64.

15 Section 28. SENATE DISTRICT TWENTY-TWO. -- Senate district  
16 twenty-two is composed of Bernalillo county precinct 31;  
17 Cibola county precinct 3; McKinley county precincts 8 through  
18 17; Rio Arriba county precincts 24, 25 and 29; and Sandoval  
19 county precincts 4, 7 through 10, 14 through 27, 50, 58 and  
20 63.

21 Section 29. SENATE DISTRICT TWENTY-THREE. -- Senate  
22 district twenty-three is composed of Bernalillo county  
23 precincts 1, 2, 20, 24, 29, 80 through 82, 85, 87, 89 and 111  
24 through 114; and Sandoval county precinct 30.

25 Section 30. SENATE DISTRICT TWENTY-FOUR. -- Senate

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1 district twenty-four is composed of Santa Fe county precincts  
2 24, 25, 27, 31 through 35, 38, 39, 41, 49 through 51, 56, 64,  
3 66, 67, 74 through 76 and 86.

4 Section 31. SENATE DISTRICT TWENTY-FIVE. -- Senate  
5 district twenty-five is composed of San Miguel county precinct  
6 23; and Santa Fe county precincts 8 through 11, 13, 20 through  
7 22, 26, 28 through 30, 36, 37, 42 through 48, 52 through 55,  
8 57, 63, 68, 70, 77, 78, 81 and 83.

9 Section 32. SENATE DISTRICT TWENTY-SIX. -- Senate district  
10 twenty-six is composed of Bernalillo county precincts 21  
11 through 23, 25 through 28, 32 through 40, 46 through 48, 51,  
12 55 and 120.

13 Section 33. SENATE DISTRICT TWENTY-SEVEN. -- Senate  
14 district twenty-seven is composed of Chaves county precinct 1;  
15 Curry county precincts 4, 6 through 9, 11 through 15, 20, 21,  
16 29, 31 and 36; De Baca county; and Roosevelt county precincts  
17 1 and 5 through 17.

18 Section 34. SENATE DISTRICT TWENTY-EIGHT. -- Senate  
19 district twenty-eight is composed of Catron county; Grant  
20 county; and Socorro county precincts 1, 3 through 8, 10, 11,  
21 13, 14 and 17.

22 Section 35. SENATE DISTRICT TWENTY-NINE. -- Senate  
23 district twenty-nine is composed of Valencia county precincts  
24 1 through 3, 5 through 8, 10, 12, 14, 17, 19, 21 through 27,  
25 31, 32 and 35 through 38.

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1           Section 36.   SENATE DISTRICT THIRTY. -- Senate district  
2 thirty is composed of Cibola county precincts 1, 2, 4 and 7  
3 through 17; Socorro county precincts 2, 9, 12, 15 and 16; and  
4 Valencia county precincts 15, 16, 20, 29, 30, 33 and 34.

5           Section 37.   SENATE DISTRICT THIRTY-ONE. -- Senate district  
6 thirty-one is composed of Dona Ana county precincts 7, 11  
7 through 15, 74 through 76, 79 through 81, 96, 97 and 101.

8           Section 38.   SENATE DISTRICT THIRTY-TWO. -- Senate district  
9 thirty-two is composed of Chaves county precincts 13 through  
10 16, 23, 24, 31, 32, 34, 42, 43, 51, 52, 61 through 63, 71  
11 through 73, 81, 90, 91 and 101 through 104; Eddy county  
12 precincts 2, 3, 41 and 43; and Otero county precinct 11.

13           Section 39.   SENATE DISTRICT THIRTY-THREE. -- Senate  
14 district thirty-three is composed of Chaves county precincts 2  
15 through 7, 9 through 12, 21, 22, 25, 33, 35, 36, 82 through  
16 85, 92 and 93; and Lincoln county.

17           Section 40.   SENATE DISTRICT THIRTY-FOUR. -- Senate  
18 district thirty-four is composed of Eddy county precincts 4  
19 through 8, 17 through 21, 25 through 30, 34 through 38, 40, 44  
20 and 45; and Otero county precincts 2 through 9, 21, 24, 25,  
21 27, 28, 36 and 40.

22           Section 41.   SENATE DISTRICT THIRTY-FIVE. -- Senate  
23 district thirty-five is composed of Hidalgo county; Luna  
24 county; and Sierra county precincts 1 and 3 through 9.

25           Section 42.   SENATE DISTRICT THIRTY-SIX. -- Senate district

1 thirty-six is composed of Dona Ana county precincts 1 through  
2 4, 21, 24, 25, 27 through 30, 32 through 36, 41 through 48,  
3 60, 63, 84, 86, 87, 92 through 95, 99 and 100.

4 Section 43. SENATE DISTRICT THIRTY-SEVEN. -- Senate  
5 district thirty-seven is composed of Dona Ana county precincts  
6 5, 6, 20, 26, 52, 59, 61, 62, 64 through 73, 77, 83, 85, 89,  
7 91 and 102 through 104.

8 Section 44. SENATE DISTRICT THIRTY-EIGHT. -- Senate  
9 district thirty-eight is composed of Dona Ana county precincts  
10 8 through 10, 16 through 19, 22, 23, 31, 37 through 40, 49  
11 through 51, 53 through 58, 78, 82, 88, 90 and 98.

12 Section 45. SENATE DISTRICT THIRTY-NINE. -- Senate  
13 district thirty-nine is composed of Los Alamos county  
14 precincts 1 through 13, 15 and 17; San Miguel county precincts  
15 13, 16 through 22 and 24; Sandoval county precinct 51; and  
16 Santa Fe county precincts 12, 14, 17, 62, 65, 69, 71, 72, 80  
17 and 82.

18 Section 46. SENATE DISTRICT FORTY. -- Senate district  
19 forty is composed of Otero county precincts 1, 10, 12 through  
20 20, 22, 23, 26, 29 through 35 and 37 through 39; and Sierra  
21 county precinct 2.

22 Section 47. SENATE DISTRICT FORTY-ONE. -- Senate district  
23 forty-one is composed of Eddy county precincts 9 through 16,  
24 23 and 31 through 33; and Lea county precincts 11, 12, 14, 16  
25 through 18, 20, 31, 34 through 36, 51 through 55, 61 and 71

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1 through 74.

2 Section 48. SENATE DISTRICT FORTY-TWO. --Senate district  
3 forty-two is composed of Chaves county precinct 41; Curry  
4 county precincts 5, 22 through 28, 30, 32 and 33; Eddy county  
5 precincts 1, 39 and 42; Lea county precincts 2, 3, 10, 13, 15,  
6 21 through 30, 32, 33, 41 through 44 and 62; and Roosevelt  
7 county precincts 2 through 4 and 18.

8 Section 49. ELECTION OF SENATORS. --Senators shall be  
9 elected from the districts described in the 2001 Senate  
10 Redistricting Act at the 2004 and subsequent general  
11 elections.

12 Section 50. REPEAL. --Sections 2-8C-1 through 2-8C-49  
13 NMSA 1978 (being Laws 1991 (1st S.S.), Chapter 3, Sections 1  
14 through 49, as amended) are repealed.