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HOUSE BILL 121

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

David C. Chavez

AN ACT

RELATING TO THE UNITED STATES CONSTITUTION; PROVIDING FOR PARTICIPATION IN A CONSTITUTIONAL CONVENTION TO CONSIDER ONLY ONE SUBJECT; PROVIDING A PENALTY.

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

SECTION 1. SHORT TITLE.--This act may be cited as the "Single Amendment Convention Limitation Act".

SECTION 2. LIMIT ON AUTHORITY OF DELEGATES.--

A. A delegate from New Mexico to a constitutional convention, pursuant to Article 5 of the United States constitution, called for by a joint resolution shall not have the authority to vote to consider or approve any proposed amendment to the United States constitution other than the precise text of the proposed amendment contained in the joint resolution.

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1 B. Any vote made by a New Mexico delegate at such a
2 constitutional convention that violates the limitation provided
3 in this section shall be null and void, and the delegate shall
4 be immediately disqualified from serving as a delegate to the
5 convention.

6 C. Every delegate from New Mexico to a
7 constitutional convention, pursuant to Article 5 of the United
8 States constitution, called for by a joint resolution shall be
9 required to take the following oath:

10 "I, _____, do solemnly swear or affirm that, to the
11 best of my abilities, I will, as a delegate to the convention,
12 uphold the constitutions and the laws of the United States and
13 New Mexico; that I accept and will act according to the limits
14 of the authority as a delegate granted me by the laws of New
15 Mexico; that I will not vote to consider or approve any
16 amendment to the constitution, other than the precise text of
17 the amendment contained in the joint resolution enacted by the
18 New Mexico legislature during the first session of the fiftieth
19 legislature; and that I understand and accept any penalties and
20 sanctions that may be imposed on me by New Mexico for violating
21 this oath."

22 **SECTION 3. PENALTY.**--A delegate who violates the oath
23 provided by the Single Amendment Convention Limitation Act is
24 guilty of a fourth degree felony and shall be sentenced
25 pursuant to the provisions of Section 31-18-15 NMSA 1978 and

.183884.1

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1 shall forfeit any and all licenses to conduct business or
2 engage in any profession that requires a license in New Mexico.

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