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HOUSE BILL 21

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

INTRODUCED BY

Brian F. Egolf

AN ACT

RELATING TO THE REDISTRICTING OF THE HOUSE OF REPRESENTATIVES;
ESTABLISHING REPRESENTATIVE DISTRICTS; PROVIDING THE METHOD FOR
ELECTING REPRESENTATIVES; PROVIDING FOR THE FILLING OF
VACANCIES; SETTING PRECINCTS; FIXING THE NUMBER, RESIDENCE AND
TERMS OF REPRESENTATIVES; 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
"2011 House Redistricting Act".

SECTION 2. MEMBERSHIP.--The house of representatives is
composed of seventy 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

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1 representative, a candidate shall reside in the district for
2 which the candidate files. Thereafter, if a representative
3 permanently removes the representative's residence from or
4 maintains no residence in the district from which the
5 representative was elected, the representative shall be deemed
6 to have resigned and a successor shall be selected as provided
7 in Section 4 of the 2011 House Redistricting Act.

8 SECTION 4. ELECTIONS--VACANCIES.--

9 A. Members of the house of representatives shall be
10 elected for terms of two years.

11 B. If a vacancy occurs in the office of
12 representative for any reason, the vacancy shall be filled as
13 follows:

14 (1) for a representative district that is
15 situated wholly within the exterior boundaries of a single
16 county, the board of county commissioners of that county shall
17 appoint the representative to fill the vacancy; and

18 (2) for a representative district situated
19 within two or more counties:

20 (a) the board of county commissioners of
21 each county in the representative district shall submit one
22 name to the governor; and

23 (b) the governor shall appoint the
24 representative to fill the vacancy from the list of names so
25 submitted.

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1 C. An appointment to fill a vacancy in the house of
2 representatives shall be for a term ending on December 31 after
3 the next general election.

4 D. An appointment to fill a vacancy made before the
5 general election of 2012 shall be made from the district as it
6 was described in Section 2-7D-1 NMSA 1978 (as established by
7 the court in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (1st
8 Dist. Ct., filed January 28, 2002)). After the general
9 election of 2012, a vacancy shall be filled by appointment from
10 the district as set out in the 2011 House Redistricting Act.

11 SECTION 5. PRECINCTS.--

12 A. Precinct designations and boundaries used in the
13 2011 House Redistricting Act are those precinct designations
14 and boundaries established pursuant to the Precinct Boundary
15 Adjustment Act and revised and approved pursuant to that act by
16 the secretary of state as of August 31, 2011.

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

24 SECTION 6. DISTRICTS.--The districts of the house of
25 representatives shall be as set out in Sections 7 through 76 of

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1 the 2011 House Redistricting Act.

2 SECTION 7. REPRESENTATIVE DISTRICT ONE.--Representative
3 district one is composed of San Juan county precincts 27
4 through 34, 39, 41, 42, 44, 47 through 50 and 59.

5 SECTION 8. REPRESENTATIVE DISTRICT TWO.--Representative
6 district two is composed of San Juan county precincts 35
7 through 38, 40, 43, 45, 46, 51 through 56 and 70.

8 SECTION 9. REPRESENTATIVE DISTRICT THREE.--Representative
9 district three is composed of San Juan county precincts 57, 58,
10 60 through 69 and 72 through 76.

11 SECTION 10. REPRESENTATIVE DISTRICT FOUR.--Representative
12 district four is composed of San Juan county precincts 1
13 through 8, 11, 12 and 20 through 26.

14 SECTION 11. REPRESENTATIVE DISTRICT FIVE.--Representative
15 district five is composed of McKinley county precincts 7
16 through 10, 19, 23, 35, 36, 44, 46 through 49 and 56; and San
17 Juan county precincts 13 through 19, 71 and 77.

18 SECTION 12. REPRESENTATIVE DISTRICT SIX.--Representative
19 district six is composed of Cibola county precincts 1, 4
20 through 8 and 12 through 16; and McKinley county precincts 18,
21 22, 24 through 30, 53 through 55 and 57.

22 SECTION 13. REPRESENTATIVE DISTRICT SEVEN.--
23 Representative district seven is composed of Valencia county
24 precincts 4 through 6, 8 through 12, 14 through 16, 18, 19, 22,
25 24 and 36 through 38.

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1 **SECTION 14. REPRESENTATIVE DISTRICT EIGHT.--**

2 Representative district eight is composed of Bernalillo county
3 precinct 93; and Valencia county precincts 1 through 3, 7, 13,
4 17, 23, 28 and 39 through 41.

5 **SECTION 15. REPRESENTATIVE DISTRICT NINE.--**Representative
6 district nine is composed of McKinley county precincts 1
7 through 6, 20, 21, 31 through 34, 37 through 43, 45, 50, 58 and
8 59; and San Juan county precincts 9 and 10.

9 **SECTION 16. REPRESENTATIVE DISTRICT TEN.--**Representative
10 district ten is composed of Bernalillo county precincts 58, 75
11 through 77, 88, 90 through 92, 94 through 99, 104 through 106
12 and 109.

13 **SECTION 17. REPRESENTATIVE DISTRICT ELEVEN.--**
14 Representative district eleven is composed of Bernalillo county
15 precincts 35 through 37, 123 through 125, 131 through 133, 150
16 through 154, 161 through 166, 186, 187, 197, 211, 212, 221, 225
17 and 226.

18 **SECTION 18. REPRESENTATIVE DISTRICT TWELVE.--**
19 Representative district twelve is composed of Bernalillo county
20 precincts 49, 54, 66, 67, 71 through 74 and 141 through 144.

21 **SECTION 19. REPRESENTATIVE DISTRICT THIRTEEN.--**
22 Representative district thirteen is composed of Bernalillo
23 county precincts 32, 41, 42, 50, 52, 53, 59, 60, 138 and 140.

24 **SECTION 20. REPRESENTATIVE DISTRICT FOURTEEN.--**
25 Representative district fourteen is composed of Bernalillo

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1 county precincts 33, 43 through 48, 51, 61 through 65, 121,
2 122, 135 and 139.

3 SECTION 21. REPRESENTATIVE DISTRICT FIFTEEN.--

4 Representative district fifteen is composed of Bernalillo
5 county precincts 4 through 10, 12, 13, 16 through 18, 86, 410,
6 422 and 455; and Sandoval county precincts 11, 13 and 54.

7 SECTION 22. REPRESENTATIVE DISTRICT SIXTEEN.--

8 Representative district sixteen is composed of Bernalillo
9 county precincts 21, 23, 27 through 30, 34, 38 through 40, 55,
10 119 and 120.

11 SECTION 23. REPRESENTATIVE DISTRICT SEVENTEEN.--

12 Representative district seventeen is composed of Bernalillo
13 county precincts 11, 14, 15, 83, 108, 110, 112, 114, 180
14 through 185, 191 through 196 and 347.

15 SECTION 24. REPRESENTATIVE DISTRICT EIGHTEEN.--

16 Representative district eighteen is composed of Bernalillo
17 county precincts 101 through 103, 107, 214 through 217, 223,
18 224, 241 through 246, 251, 252, 255 through 257, 341 through
19 343, 345, 351 through 353, 355 through 358 and 381 through 383.

20 SECTION 25. REPRESENTATIVE DISTRICT NINETEEN.--

21 Representative district nineteen is composed of Bernalillo
22 county precincts 253, 254, 271 through 275, 278, 281 through
23 287, 311 through 315, 317, 384 and 385.

24 SECTION 26. REPRESENTATIVE DISTRICT TWENTY.--

25 Representative district twenty is composed of Bernalillo county
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1 precincts 289, 290, 293, 294, 296 through 298, 300, 305, 306,
2 324, 328, 330 through 333, 544 and 554.

3 SECTION 27. REPRESENTATIVE DISTRICT TWENTY-ONE.--

4 Representative district twenty-one is composed of Bernalillo
5 county precincts 258, 291, 292, 318, 321 through 323, 326, 327,
6 329, 473 through 478 and 542.

7 SECTION 28. REPRESENTATIVE DISTRICT TWENTY-TWO.--

8 Representative district twenty-two is composed of Bernalillo
9 county precincts 295, 299, 301 through 304, 307, 548, 550, 553,
10 555 through 559, 570, 572 and 573; and Santa Fe county
11 precincts 73, 84 and 85.

12 SECTION 29. REPRESENTATIVE DISTRICT TWENTY-THREE.--

13 Representative district twenty-three is composed of Bernalillo
14 county precincts 1, 3, 68, 69, 78, 79, 84, 87, 89, 129, 170 and
15 171; and Sandoval county precincts 12 and 57.

16 SECTION 30. REPRESENTATIVE DISTRICT TWENTY-FOUR.--

17 Representative district twenty-four is composed of Bernalillo
18 county precincts 453, 463 through 465, 471, 472, 484, 495, 502
19 through 504, 506 through 509, 511 through 516, 521 through 523,
20 528, 531 and 562.

21 SECTION 31. REPRESENTATIVE DISTRICT TWENTY-FIVE.--

22 Representative district twenty-five is composed of Bernalillo
23 county precincts 316, 344, 346, 354, 371 through 375, 386, 387,
24 411 through 417, 441 through 444, 461, 462, 466, 481, 491
25 through 494 and 496 through 498.

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1 **SECTION 32. REPRESENTATIVE DISTRICT TWENTY-SIX.--**

2 Representative district twenty-six is composed of Bernalillo
3 county precincts 20, 22, 24 through 26, 56, 57, 70, 111, 134,
4 136 and 137.

5 **SECTION 33. REPRESENTATIVE DISTRICT TWENTY-SEVEN.--**

6 Representative district twenty-seven is composed of Bernalillo
7 county precincts 407, 423 through 425, 447, 448, 456, 482, 485
8 through 490, 499, 500, 510, 529 and 601.

9 **SECTION 34. REPRESENTATIVE DISTRICT TWENTY-EIGHT.--**

10 Representative district twenty-eight is composed of Bernalillo
11 county precincts 308, 480, 505, 517 through 519, 524 through
12 527, 530, 532 through 536, 540, 543, 545 through 547, 549, 561,
13 564 through 566 and 603.

14 **SECTION 35. REPRESENTATIVE DISTRICT TWENTY-NINE.--**

15 Representative district twenty-nine is composed of Bernalillo
16 county precincts 19, 80 through 82, 85, 113, 115, 117, 118, 127
17 and 128.

18 **SECTION 36. REPRESENTATIVE DISTRICT THIRTY.--**

19 Representative district thirty is composed of Bernalillo county
20 precincts 400 through 406, 408, 409, 418 through 421, 431
21 through 440, 445 and 446.

22 **SECTION 37. REPRESENTATIVE DISTRICT THIRTY-ONE.--**

23 Representative district thirty-one is composed of Bernalillo
24 county precincts 426 through 430, 449 through 452, 454, 483,
25 520, 537 through 539, 541, 560, 563, 568, 569 and 602.

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1 **SECTION 38. REPRESENTATIVE DISTRICT THIRTY-TWO.--**
2 Representative district thirty-two is composed of Grant county
3 precincts 11, 22 and 29 through 31; Hidalgo county; and Luna
4 county precincts 1, 3 through 6, 8 and 10 through 13.

5 **SECTION 39. REPRESENTATIVE DISTRICT THIRTY-THREE.--**
6 Representative district thirty-three is composed of Dona Ana
7 county precincts 4, 18, 20, 22, 23, 31, 37 through 40, 57, 84
8 through 88, 90, 108 and 115.

9 **SECTION 40. REPRESENTATIVE DISTRICT THIRTY-FOUR.--**
10 Representative district thirty-four is composed of Dona Ana
11 county precincts 7, 19, 47 through 56, 58, 78, 96, 98 and 101.

12 **SECTION 41. REPRESENTATIVE DISTRICT THIRTY-FIVE.--**
13 Representative district thirty-five is composed of Dona Ana
14 county precincts 24 through 30, 32 through 36, 41 through 46,
15 83, 89, 91 through 94 and 99.

16 **SECTION 42. REPRESENTATIVE DISTRICT THIRTY-SIX.--**
17 Representative district thirty-six is composed of Dona Ana
18 county precincts 1 through 3, 21, 60, 63, 95, 100, 107 and 111;
19 Luna county precincts 2 and 14; Sierra county; and Socorro
20 county precincts 13, 14 and 26.

21 **SECTION 43. REPRESENTATIVE DISTRICT THIRTY-SEVEN.--**
22 Representative district thirty-seven is composed of Dona Ana
23 county precincts 59, 61, 62, 67, 69, 73, 102, 103, 105, 106,
24 109, 112, 113 and 116.

25 **SECTION 44. REPRESENTATIVE DISTRICT THIRTY-EIGHT.--**

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1 Representative district thirty-eight is composed of Dona Ana
2 county precincts 9, 10, 13 through 16, 81, 82 and 97.

3 **SECTION 45. REPRESENTATIVE DISTRICT THIRTY-NINE.--**

4 Representative district thirty-nine is composed of Catron
5 county; and Grant county precincts 1 through 10, 12 through 21,
6 23 through 28 and 32 through 35.

7 **SECTION 46. REPRESENTATIVE DISTRICT FORTY.--**

8 Representative district forty is composed of Colfax county
9 precinct 1; Mora county precincts 2 and 4 through 6; Rio Arriba
10 county precincts 1 through 6, 13 through 17, 32, 37, 38, 40 and
11 41; Santa Fe county precincts 3 and 58; and Taos county
12 precincts 22 through 32 and 36.

13 **SECTION 47. REPRESENTATIVE DISTRICT FORTY-ONE.--**

14 Representative district forty-one is composed of Los Alamos
15 county precincts 14 through 16; Rio Arriba county precincts 7
16 through 12, 18 through 23, 25 through 28, 30, 31, 33 through
17 36, 39 and 42; Sandoval county precincts 16 through 18, 21
18 through 23, 78 and 79; and Taos county precincts 1 and 2.

19 **SECTION 48. REPRESENTATIVE DISTRICT FORTY-TWO.--**

20 Representative district forty-two is composed of Taos county
21 precincts 4 through 21 and 33 through 35.

22 **SECTION 49. REPRESENTATIVE DISTRICT FORTY-THREE.--**

23 Representative district forty-three is composed of Los Alamos
24 county precincts 1 through 5, 7 through 13 and 17; Sandoval
25 county precincts 7, 10 and 51; and Santa Fe county precincts 5,

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1 12, 40, 80 and 86.

2 SECTION 50. REPRESENTATIVE DISTRICT FORTY-FOUR.--

3 Representative district forty-four is composed of Sandoval
4 county precincts 31 through 39, 52, 53, 58 through 62, 64 and
5 83.

6 SECTION 51. REPRESENTATIVE DISTRICT FORTY-FIVE.--

7 Representative district forty-five is composed of Santa Fe
8 county precincts 29, 37, 38, 49 through 51, 54, 56, 62, 64, 75
9 through 78 and 81.

10 SECTION 52. REPRESENTATIVE DISTRICT FORTY-SIX.--

11 Representative district forty-six is composed of Los Alamos
12 county precinct 6; and Santa Fe county precincts 1, 2, 4, 6
13 through 8, 11, 20, 21, 23, 25, 26, 31, 33, 59 through 61, 79,
14 82, 83 and 87.

15 SECTION 53. REPRESENTATIVE DISTRICT FORTY-SEVEN.--

16 Representative district forty-seven is composed of San Miguel
17 county precinct 23; and Santa Fe county precincts 9, 10, 13,
18 14, 22, 28, 30, 48, 55, 65 and 68 through 71.

19 SECTION 54. REPRESENTATIVE DISTRICT FORTY-EIGHT.--

20 Representative district forty-eight is composed of Santa Fe
21 county precincts 24, 27, 32, 34 through 36, 39, 41 through 47,
22 52, 53, 66, 67 and 74.

23 SECTION 55. REPRESENTATIVE DISTRICT FORTY-NINE.--

24 Representative district forty-nine is composed of Socorro
25 county precincts 1 through 10, 16 through 21 and 23 through 25;

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1 and Valencia county precincts 20, 21, 25, 26 and 29 through 35.

2 SECTION 56. REPRESENTATIVE DISTRICT FIFTY.--

3 Representative district fifty is composed of Bernalillo county
4 precincts 551, 552 and 571; San Miguel county precinct 22;
5 Sandoval county precincts 5, 6, 28, 55, 56 and 76; Santa Fe
6 county precincts 15 through 19, 57, 63, 72 and 88; and Torrance
7 county precincts 5, 6, 13 and 16.

8 SECTION 57. REPRESENTATIVE DISTRICT FIFTY-ONE.--

9 Representative district fifty-one is composed of Otero county
10 precincts 2, 16 through 20, 22, 23, 26, 27, 29 through 37 and
11 39.

12 SECTION 58. REPRESENTATIVE DISTRICT FIFTY-TWO.--

13 Representative district fifty-two is composed of Dona Ana
14 county precincts 5, 8, 17, 64 through 66, 68, 70 through 72,
15 77, 79, 104, 110, 114 and 117 through 119.

16 SECTION 59. REPRESENTATIVE DISTRICT FIFTY-THREE.--

17 Representative district fifty-three is composed of Dona Ana
18 county precincts 6, 11, 12, 74 through 76, 80 and 120; and
19 Otero county precincts 1 and 41.

20 SECTION 60. REPRESENTATIVE DISTRICT FIFTY-FOUR.--

21 Representative district fifty-four is composed of Eddy county
22 precincts 2 through 8, 10, 11, 13, 15, 29, 30, 34, 35, 38 and
23 39; and Otero county precincts 3 through 9.

24 SECTION 61. REPRESENTATIVE DISTRICT FIFTY-FIVE.--

25 Representative district fifty-five is composed of Eddy county

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1 precincts 1, 9, 12, 14, 16 through 21, 23, 25 through 28, 32,
2 33, 36, 37, 42, 44 and 45.

3 SECTION 62. REPRESENTATIVE DISTRICT FIFTY-SIX.--

4 Representative district fifty-six is composed of Lincoln county
5 precincts 2 through 14 and 16 through 21; Otero county
6 precincts 12 through 15 and 38; and Socorro county precincts
7 11, 12 and 22.

8 SECTION 63. REPRESENTATIVE DISTRICT FIFTY-SEVEN.--

9 Representative district fifty-seven is composed of Sandoval
10 county precincts 47, 50, 63, 65 through 69, 71, 80, 82 and 84.

11 SECTION 64. REPRESENTATIVE DISTRICT FIFTY-EIGHT.--

12 Representative district fifty-eight is composed of Chaves
13 county precincts 34, 42, 43, 51, 52, 61 through 63, 71 through
14 73, 90 through 92, 94 and 101 through 104; and Eddy county
15 precincts 40 and 41.

16 SECTION 65. REPRESENTATIVE DISTRICT FIFTY-NINE.--

17 Representative district fifty-nine is composed of Chaves county
18 precincts 21, 23, 31, 35, 36, 81 through 85 and 93; Lincoln
19 county precinct 15; and Otero county precincts 10, 11, 21, 24,
20 25, 28 and 40.

21 SECTION 66. REPRESENTATIVE DISTRICT SIXTY.--

22 Representative district sixty is composed of Bernalillo county
23 precincts 2 and 116; and Sandoval county precincts 30, 40
24 through 46, 48, 49, 70, 72, 73, 81, 85 and 86.

25 SECTION 67. REPRESENTATIVE DISTRICT SIXTY-ONE.--

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1 Representative district sixty-one is composed of Lea county
2 precincts 12, 14 through 17, 35, 36, 51 through 55, 61, 62 and
3 71 through 74.

4 **SECTION 68. REPRESENTATIVE DISTRICT SIXTY-TWO.--**
5 Representative district sixty-two is composed of Lea county
6 precincts 20 through 34 and 41 through 44.

7 **SECTION 69. REPRESENTATIVE DISTRICT SIXTY-THREE.--**
8 Representative district sixty-three is composed of Curry county
9 precincts 4, 6 through 9, 25 through 29 and 36; De Baca county
10 precincts 3 and 4; Guadalupe county; Quay county precincts 1,
11 7, 9 and 11; and Roosevelt county precincts 7, 8 and 17.

12 **SECTION 70. REPRESENTATIVE DISTRICT SIXTY-FOUR.--**
13 Representative district sixty-four is composed of Curry county
14 precincts 3, 10 through 15, 17 through 24, 31, 32, 35 and 37.

15 **SECTION 71. REPRESENTATIVE DISTRICT SIXTY-FIVE.--**
16 Representative district sixty-five is composed of Bernalillo
17 county precinct 567; McKinley county precinct 12; Rio Arriba
18 county precincts 24 and 29; and Sandoval county precincts 1
19 through 4, 8, 9, 14, 15, 19, 20, 24 through 27, 29, 74 and 75.

20 **SECTION 72. REPRESENTATIVE DISTRICT SIXTY-SIX.--**
21 Representative district sixty-six is composed of Chaves county
22 precincts 1 through 7, 9 through 16, 22, 24, 25, 32, 33, 41 and
23 44 through 47; De Baca county precincts 1 and 2; and Lea county
24 precincts 2 and 13.

25 **SECTION 73. REPRESENTATIVE DISTRICT SIXTY-SEVEN.--**

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1 Representative district sixty-seven is composed of Curry county
2 precincts 1, 2, 5, 16, 30, 33 and 34; Lea county precincts 3,
3 10, 11 and 18; Quay county precincts 2 through 4, 6 and 8; and
4 Roosevelt county precincts 1 through 6, 9 through 13, 15, 18,
5 19 and 21.

6 **SECTION 74. REPRESENTATIVE DISTRICT SIXTY-EIGHT.--**

7 Representative district sixty-eight is composed of Colfax
8 county precincts 2 through 5, 7 and 10 through 22; Harding
9 county; Mora county precincts 1, 3 and 7 through 11; Quay
10 county precincts 5, 10 and 12; San Miguel county precincts 5,
11 6, 10, 14, 15, 25 and 28; Taos county precinct 3; and Union
12 county.

13 **SECTION 75. REPRESENTATIVE DISTRICT SIXTY-NINE.--**

14 Representative district sixty-nine is composed of Bernalillo
15 county precinct 31; Cibola county precincts 2, 3, 9 through 11
16 and 17 through 25; McKinley county precincts 11, 13 through 17
17 and 52; Socorro county precinct 15; and Valencia county
18 precinct 27.

19 **SECTION 76. REPRESENTATIVE DISTRICT SEVENTY.--**

20 Representative district seventy is composed of Lincoln county
21 precinct 1; San Miguel county precincts 1 through 4, 7 through
22 9, 11 through 13, 16 through 21, 24, 26 and 27; and Torrance
23 county precincts 1 through 4, 7 through 12, 14 and 15.

24 **SECTION 77. ELECTION OF REPRESENTATIVES.--**Representatives
25 shall be elected from the districts described in the 2011 House

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1 Redistricting Act at the 2012 and subsequent general elections.

2 **SECTION 78. TEMPORARY PROVISION--COMPILATION**

3 INSTRUCTIONS.--The compiler shall remove from the NMSA 1978 the
4 provisions of Section 2-7D-1 NMSA 1978 (copy of state house of
5 representative districts established by Final Judgment and
6 Order in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (1st Dist.
7 Ct., filed January 28, 2002)).

8 **SECTION 79. REPEAL.--Sections 2-7C-1 through 2-7C-78 NMSA**
9 1978 (being Laws 1991 (1st S.S.), Chapter 2, Sections 1 through
10 78) are repealed.

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