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HOUSE BILL 39

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

INTRODUCED BY

Mary Helen Garcia

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 28
4 through 34, 39, 41, 42, 44, 46 through 49 and 57 through 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, 51 through 56, 68 and 70.

8 SECTION 9. REPRESENTATIVE DISTRICT THREE.--Representative
9 district three is composed of San Juan county precincts 60
10 through 67, 69 and 71 through 77.

11 SECTION 10. REPRESENTATIVE DISTRICT FOUR.--Representative
12 district four is composed of San Juan county precincts 1
13 through 13, 21, 22 and 25 through 27.

14 SECTION 11. REPRESENTATIVE DISTRICT FIVE.--Representative
15 district five is composed of McKinley county precincts 5, 7
16 through 10, 19, 36, 43, 46 through 49 and 56; and San Juan
17 county precincts 14, 17 through 20, 23, 24 and 50.

18 SECTION 12. REPRESENTATIVE DISTRICT SIX.--Representative
19 district six is composed of Cibola county precincts 1, 5
20 through 8 and 13 through 15; and McKinley county precincts 15,
21 18, 23 through 30, 52, 53 and 55.

22 SECTION 13. REPRESENTATIVE DISTRICT SEVEN.--
23 Representative district seven is composed of Valencia county
24 precincts 4 through 6, 8 through 11, 14 through 16, 18, 22, 24,
25 28, 32 and 36.

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

2 Representative district eight is composed of Valencia county
3 precincts 2, 3, 7, 12, 17, 19, 21, 23, 25, 26, 31, 35, 37, 40
4 and 41.

5 **SECTION 15. REPRESENTATIVE DISTRICT NINE.--**Representative
6 district nine is composed of McKinley county precincts 1
7 through 4, 6, 20 through 22, 31 through 35, 37 through 42, 44,
8 45, 50, 54 and 57 through 59.

9 **SECTION 16. REPRESENTATIVE DISTRICT TEN.--**Representative
10 district ten is composed of Bernalillo county precincts 76, 77,
11 88, 90 through 92, 94 through 99, 103, 105, 106 and 109.

12 **SECTION 17. REPRESENTATIVE DISTRICT ELEVEN.--**
13 Representative district eleven is composed of Bernalillo county
14 precincts 35 through 37, 39, 123 through 125, 131, 132, 150
15 through 154, 161 through 166, 186, 187, 197, 211, 212, 221 and
16 225.

17 **SECTION 18. REPRESENTATIVE DISTRICT TWELVE.--**
18 Representative district twelve is composed of Bernalillo county
19 precincts 44, 49, 54, 71 through 75 and 141 through 144.

20 **SECTION 19. REPRESENTATIVE DISTRICT THIRTEEN.--**
21 Representative district thirteen is composed of Bernalillo
22 county precincts 41, 42, 52, 53, 56, 58 through 60, 137, 138
23 and 140.

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

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1 county precincts 43, 45 through 48, 50, 51, 61 through 67, 121,
2 122, 133, 135 and 139.

3 SECTION 21. REPRESENTATIVE DISTRICT FIFTEEN.--

4 Representative district fifteen is composed of Bernalillo
5 county precincts 4 through 10, 12 through 14, 16 through 18,
6 21, 83, 86, 108, 110 and 114.

7 SECTION 22. REPRESENTATIVE DISTRICT SIXTEEN.--

8 Representative district sixteen is composed of Bernalillo
9 county precincts 29, 32 through 34, 38, 40, 55, 57, 70, 81, 134
10 and 136.

11 SECTION 23. REPRESENTATIVE DISTRICT SEVENTEEN.--

12 Representative district seventeen is composed of Bernalillo
13 county precincts 11, 15, 30, 180 through 185, 191 through 196,
14 347, 436 through 438 and 455.

15 SECTION 24. REPRESENTATIVE DISTRICT EIGHTEEN.--

16 Representative district eighteen is composed of Bernalillo
17 county precincts 101, 102, 104, 214 through 217, 223, 224, 226,
18 241 through 246, 251, 252, 256, 341 through 343, 345, 346, 351
19 through 358, 381 and 382.

20 SECTION 25. REPRESENTATIVE DISTRICT NINETEEN.--

21 Representative district nineteen is composed of Bernalillo
22 county precincts 107, 253 through 255, 257, 271 through 275,
23 278, 281 through 287, 311, 312, 315, 383 and 384.

24 SECTION 26. REPRESENTATIVE DISTRICT TWENTY.--

25 Representative district twenty is composed of Bernalillo county
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1 precincts 289, 290, 294 through 299, 301, 305, 306, 324, 328,
2 332, 333 and 546 through 550.

3 SECTION 27. REPRESENTATIVE DISTRICT TWENTY-ONE.--
4 Representative district twenty-one is composed of Bernalillo
5 county precincts 291 through 293, 300, 318, 321 through 323,
6 326, 327, 329 through 331 and 475 through 478.

7 SECTION 28. REPRESENTATIVE DISTRICT TWENTY-TWO.--
8 Representative district twenty-two is composed of Bernalillo
9 county precincts 258, 302 through 304, 307, 553 through 559,
10 570, 572 and 573; and Santa Fe county precincts 18, 73, 84 and
11 85.

12 SECTION 29. REPRESENTATIVE DISTRICT TWENTY-THREE.--
13 Representative district twenty-three is composed of Bernalillo
14 county precincts 2, 3, 78, 89 and 171; and Sandoval county
15 precincts 11 through 13, 30 through 33, 35, 36, 54, 57 and 72.

16 SECTION 30. REPRESENTATIVE DISTRICT TWENTY-FOUR.--
17 Representative district twenty-four is composed of Bernalillo
18 county precincts 453, 462 through 465, 471 through 474, 502
19 through 508, 514, 522, 531 through 536, 542 through 545 and
20 562.

21 SECTION 31. REPRESENTATIVE DISTRICT TWENTY-FIVE.--
22 Representative district twenty-five is composed of Bernalillo
23 county precincts 313, 314, 316, 317, 344, 371 through 375, 385
24 through 387, 401, 403, 411 through 417, 431 through 435, 441
25 through 446 and 491.

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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 through 28, 82, 111 through 113, 119
4 and 120.

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

6 Representative district twenty-seven is composed of Bernalillo
7 county precincts 407, 410, 418, 419, 421 through 425, 448, 456,
8 485 through 490, 510 and 601.

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

10 Representative district twenty-eight is composed of Bernalillo
11 county precincts 308, 428 through 430, 452, 454, 480, 515
12 through 521, 524 through 528, 530, 540, 561, 564 through 566
13 and 603.

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

15 Representative district twenty-nine is composed of Bernalillo
16 county precincts 19, 68, 69, 79, 80, 84, 85, 87, 116, 127
17 through 129 and 170.

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

19 Representative district thirty is composed of Bernalillo county
20 precincts 400, 402, 404 through 406, 408, 409, 420, 439, 440,
21 461, 466, 481, 484, 492 through 500, 509, 511 through 513 and
22 523.

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

24 Representative district thirty-one is composed of Bernalillo
25 county precincts 426, 427, 447, 449 through 451, 482, 483, 529,

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1 537 through 539, 541, 560, 563, 567 through 569 and 602.

2 SECTION 38. REPRESENTATIVE DISTRICT THIRTY-TWO.--

3 Representative district thirty-two is composed of Grant county
4 precinct 31; Hidalgo county precincts 2, 3, 5 and 6; and Luna
5 county.

6 SECTION 39. REPRESENTATIVE DISTRICT THIRTY-THREE.--

7 Representative district thirty-three is composed of Dona Ana
8 county precincts 18, 19, 31, 37 through 40, 53 through 58, 78,
9 82, 98, 101 and 108.

10 SECTION 40. REPRESENTATIVE DISTRICT THIRTY-FOUR.--

11 Representative district thirty-four is composed of Dona Ana
12 county precincts 8, 13 through 17, 96 and 97.

13 SECTION 41. REPRESENTATIVE DISTRICT THIRTY-FIVE.--

14 Representative district thirty-five is composed of Dona Ana
15 county precincts 24, 25, 27 through 30, 32 through 36, 41
16 through 52 and 91 through 94.

17 SECTION 42. REPRESENTATIVE DISTRICT THIRTY-SIX.--

18 Representative district thirty-six is composed of Dona Ana
19 county precincts 1, 2, 20, 22, 23, 65, 84 through 88, 90, 95,
20 105, 117 and 118.

21 SECTION 43. REPRESENTATIVE DISTRICT THIRTY-SEVEN.--

22 Representative district thirty-seven is composed of Dona Ana
23 county precincts 26, 59, 61, 62, 67 through 69, 83, 89, 99,
24 102, 103, 109, 112 and 116.

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

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1 Representative district thirty-eight is composed of Catron
2 county; Grant county precincts 1 through 4, 6, 7, 11 through 17
3 and 35; Hidalgo county precinct 4; Sierra county precincts 2
4 through 9; and Socorro county precincts 11, 13, 14 and 26.

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

6 Representative district thirty-nine is composed of Dona Ana
7 county precincts 3, 4, 21, 60, 63, 100, 107, 111 and 115; Grant
8 county precincts 5, 8 through 10, 18 through 30 and 32 through
9 34; Hidalgo county precinct 1; and Sierra county precinct 1.

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

11 Representative district forty is composed of Mora county
12 precincts 1, 2, 4 and 5; Rio Arriba county precincts 2 through
13 5, 13 through 17, 37, 40 and 41; San Miguel county precincts 22
14 through 24; Santa Fe county precincts 4 and 58; and Taos county
15 precincts 20, 23 through 25, 27, 28, 30 through 32, 34 and 36.

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

17 Representative district forty-one is composed of Rio Arriba
18 county precincts 1, 6 through 12, 18 through 23, 25 through 28,
19 30 through 36, 38, 39 and 42; Sandoval county precincts 16
20 through 18, 21 through 23, 78 and 79; Santa Fe county precinct
21 40; and Taos county precincts 1 and 22.

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

23 Representative district forty-two is composed of Colfax county
24 precinct 1; and Taos county precincts 5 through 19, 21, 26, 29,
25 33 and 35.

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1 **SECTION 49. REPRESENTATIVE DISTRICT FORTY-THREE.--**
2 Representative district forty-three is composed of Los Alamos
3 county; Sandoval county precincts 7 and 51; and Santa Fe county
4 precincts 12 and 86.

5 **SECTION 50. REPRESENTATIVE DISTRICT FORTY-FOUR.--**
6 Representative district forty-four is composed of Sandoval
7 county precincts 34, 37 through 39, 48, 52, 53, 58 through 62,
8 64, 65, 74 and 81 through 83.

9 **SECTION 51. REPRESENTATIVE DISTRICT FORTY-FIVE.--**
10 Representative district forty-five is composed of Santa Fe
11 county precincts 29, 37, 38, 51, 53, 54, 56, 64, 75 through 78
12 and 80.

13 **SECTION 52. REPRESENTATIVE DISTRICT FORTY-SIX.--**
14 Representative district forty-six is composed of Santa Fe
15 county precincts 1 through 3, 5 through 8, 11, 20, 21, 23, 25,
16 31, 33, 59 through 61, 79, 82, 83 and 87.

17 **SECTION 53. REPRESENTATIVE DISTRICT FORTY-SEVEN.--**
18 Representative district forty-seven is composed of Santa Fe
19 county precincts 9, 10, 13, 22, 28, 30, 36, 46 through 48, 55,
20 57, 63, 65, 68 through 71 and 81.

21 **SECTION 54. REPRESENTATIVE DISTRICT FORTY-EIGHT.--**
22 Representative district forty-eight is composed of Santa Fe
23 county precincts 24, 26, 27, 32, 34, 35, 39, 41 through 45, 49,
24 50, 52, 66, 67 and 74.

25 **SECTION 55. REPRESENTATIVE DISTRICT FORTY-NINE.--**

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1 Representative district forty-nine is composed of Socorro
2 county precincts 1 through 10, 12 and 16 through 25; and
3 Valencia county precincts 1, 20, 27, 29, 30, 33, 34, 38 and 39.

4 SECTION 56. REPRESENTATIVE DISTRICT FIFTY.--

5 Representative district fifty is composed of Bernalillo county
6 precincts 551, 552 and 571; Sandoval county precincts 5, 6, 28,
7 55, 56 and 76; Santa Fe county precincts 14 through 17, 19, 62,
8 72 and 88; and Torrance county precincts 5, 6, 13 and 16.

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

10 Representative district fifty-one is composed of Otero county
11 precincts 2, 15 through 20, 22, 26, 27 and 29 through 37.

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

13 Representative district fifty-two is composed of Dona Ana
14 county precincts 7, 9 through 12, 70 through 73, 77, 79, 81,
15 104, 106, 110, 113, 114 and 120.

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

17 Representative district fifty-three is composed of Dona Ana
18 county precincts 5, 6, 64, 66, 74 through 76, 80 and 119; and
19 Otero county precincts 1 and 41.

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

21 Representative district fifty-four is composed of Chaves county
22 precinct 104; Eddy county precincts 1 through 8, 10, 11, 13,
23 29, 34, 35 and 38 through 40; and Otero county precincts 3
24 through 8.

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

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1 Representative district fifty-five is composed of Eddy county
2 precincts 9, 12, 14 through 21, 23, 25 through 28, 30, 32, 33,
3 36, 37, 42, 44 and 45.

4 **SECTION 62. REPRESENTATIVE DISTRICT FIFTY-SIX.--**

5 Representative district fifty-six is composed of Lincoln county
6 precincts 1 through 14 and 16 through 21; and Otero county
7 precincts 10, 12 through 14 and 38.

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

9 Representative district fifty-seven is composed of Chaves
10 county precincts 1 through 7, 9 through 16, 24, 25, 32 through
11 34, 41, 44 through 47 and 83; De Baca county precinct 2; and
12 Roosevelt county precincts 5 and 19.

13 **SECTION 64. REPRESENTATIVE DISTRICT FIFTY-EIGHT.--**

14 Representative district fifty-eight is composed of Chaves
15 county precincts 42, 43, 51, 52, 61 through 63, 71 through 73,
16 81, 90 through 92, 94 and 101 through 103; and Eddy county
17 precinct 41.

18 **SECTION 65. REPRESENTATIVE DISTRICT FIFTY-NINE.--**

19 Representative district fifty-nine is composed of Chaves county
20 precincts 21 through 23, 31, 35, 36, 82, 84, 85 and 93; Lincoln
21 county precinct 15; and Otero county precincts 9, 11, 21, 23
22 through 25, 28, 39 and 40.

23 **SECTION 66. REPRESENTATIVE DISTRICT SIXTY.--**

24 Representative district sixty is composed of Bernalillo county
25 precincts 1, 115, 117 and 118; and Sandoval county precincts

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1 40, 41, 43 through 46, 49, 85 and 86.

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

3 Representative district sixty-one is composed of Lea county
4 precincts 11 through 17, 35, 36, 52 through 55, 62 and 71
5 through 74.

6 SECTION 68. REPRESENTATIVE DISTRICT SIXTY-TWO.--

7 Representative district sixty-two is composed of Lea county
8 precincts 20, 22 through 25, 27 through 34, 41 through 44, 51
9 and 61.

10 SECTION 69. REPRESENTATIVE DISTRICT SIXTY-THREE.--

11 Representative district sixty-three is composed of Curry county
12 precincts 5 through 9, 25, 26, 28, 29 and 36; De Baca county
13 precincts 1, 3 and 4; Guadalupe county; Quay county precincts
14 1, 7, 9 and 11; and Roosevelt county precincts 6 through 8 and
15 17.

16 SECTION 70. REPRESENTATIVE DISTRICT SIXTY-FOUR.--

17 Representative district sixty-four is composed of Curry county
18 precincts 10 through 15, 17 through 24, 31, 32 and 37.

19 SECTION 71. REPRESENTATIVE DISTRICT SIXTY-FIVE.--

20 Representative district sixty-five is composed of McKinley
21 county precinct 12; Rio Arriba county precincts 24 and 29; San
22 Juan county precincts 15 and 16; and Sandoval county precincts
23 1 through 4, 8 through 10, 14, 15, 19, 20, 24 through 27 and
24 29.

25 SECTION 72. REPRESENTATIVE DISTRICT SIXTY-SIX.--

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1 Representative district sixty-six is composed of Sandoval
2 county precincts 42, 47, 50, 63, 66 through 71, 73, 75, 80 and
3 84.

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

5 Representative district sixty-seven is composed of Curry county
6 precincts 1 through 4, 16, 27, 30 and 33 through 35; Lea county
7 precincts 2, 3, 10, 18, 21 and 26; Quay county precincts 2
8 through 4; and Roosevelt county precincts 1 through 4, 9
9 through 13, 15, 18 and 21.

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

11 Representative district sixty-eight is composed of Colfax
12 county precincts 2 through 5, 7 and 10 through 22; Harding
13 county; Mora county precincts 3 and 6 through 11; Quay county
14 precincts 5, 6, 8 and 10; San Miguel county precincts 2, 6, 9,
15 10, 12 and 25; Taos county precincts 2 through 4; and Union
16 county.

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

18 Representative district sixty-nine is composed of Bernalillo
19 county precincts 31 and 93; Cibola county precincts 2 through
20 4, 9 through 12 and 16 through 25; McKinley county precincts
21 11, 13, 14, 16 and 17; Socorro county precinct 15; and Valencia
22 county precinct 13.

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

24 Representative district seventy is composed of Quay county
25 precinct 12; San Miguel county precincts 1, 3 through 5, 7, 8,

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1 11, 13 through 21 and 26 through 28; and Torrance county
2 precincts 1 through 4, 7 through 12, 14 and 15.

3 SECTION 77. ELECTION OF REPRESENTATIVES.--Representatives
4 shall be elected from the districts described in the 2011 House
5 Redistricting Act at the 2012 and subsequent general elections.

6 SECTION 78. TEMPORARY PROVISION--COMPILATION
7 INSTRUCTIONS.--The compiler shall remove from the NMSA 1978 the
8 provisions of Section 2-7D-1 NMSA 1978 (copy of state house of
9 representative districts established by Final Judgment and
10 Order in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (1st Dist.
11 Ct., filed January 28, 2002)).

12 SECTION 79. REPEAL.--Sections 2-7C-1 through 2-7C-78 NMSA
13 1978 (being Laws 1991 (1st S.S.), Chapter 2, Sections 1 through
14 78) are repealed.