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SENATE BILL 38

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

INTRODUCED BY

Timothy Z. Jennings

AN ACT

RELATING TO THE REDISTRICTING OF THE SENATE; ESTABLISHING
SENATORIAL DISTRICTS; PROVIDING THE METHOD FOR ELECTING
SENATORS; PROVIDING FOR THE FILLING OF VACANCIES; SETTING
PRECINCTS; 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
"2011 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 the candidate

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

7 SECTION 4. ELECTIONS--VACANCIES.--

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

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

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

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

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

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

24 C. All appointments to fill vacancies in the senate
25 shall be for a term ending on December 31 subsequent to the

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1 next succeeding general election, at which general election a
2 person shall be elected to fill the remainder of the unexpired
3 term.

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 Laws 2002, Chapter 98, Sections 7 through 48.
7 After the general election of 2012, a vacancy shall be filled
8 by appointment from the district set out in the 2011 Senate
9 Redistricting Act.

10 SECTION 5. PRECINCTS.--

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

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

23 SECTION 6. DISTRICTS.--The districts of the senate shall
24 be as set out in Sections 7 through 48 of the 2011 Senate
25 Redistricting Act.

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1 **SECTION 7. SENATE DISTRICT ONE.**--Senate district one is
2 composed of San Juan county precincts 26 through 40, 43 through
3 46, 49 through 53, 55 and 56.

4 **SECTION 8. SENATE DISTRICT TWO.**--Senate district two is
5 composed of San Juan county precincts 21, 41, 42, 47, 48, 54
6 and 57 through 77.

7 **SECTION 9. SENATE DISTRICT THREE.**--Senate district three
8 is composed of McKinley county precincts 1 through 6, 20, 21,
9 31, 34, 36 through 38 and 41; and San Juan county precincts 1
10 through 13, 17, 18, 20 and 22 through 25.

11 **SECTION 10. SENATE DISTRICT FOUR.**--Senate district four
12 is composed of Cibola county precincts 4, 6 and 15; and
13 McKinley county precincts 14, 16 through 19, 22 through 30, 32,
14 33, 35, 39, 40, 42 through 50 and 52 through 59.

15 **SECTION 11. SENATE DISTRICT FIVE.**--Senate district five
16 is composed of Los Alamos county precincts 8 through 17; Rio
17 Arriba county precincts 1 through 14, 18 through 23, 28 and 31
18 through 42; and Santa Fe county precincts 58 and 79.

19 **SECTION 12. SENATE DISTRICT SIX.**--Senate district six is
20 composed of Los Alamos county precincts 1 through 7; Rio Arriba
21 county precincts 15 through 17; Sandoval county precinct 51;
22 Santa Fe county precincts 1 through 7, 23, 40, 59 through 61
23 and 87; and Taos county precincts 1 through 6, 8 through 17,
24 19, 22 through 25, 27 through 32 and 34 through 36.

25 **SECTION 13. SENATE DISTRICT SEVEN.**--Senate district seven

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1 is composed of Colfax county; Curry county precincts 1 through
2 3, 10, 16 through 19, 22 through 24, 32, 34, 35 and 37; Harding
3 county; Mora county precinct 11; Quay county; San Miguel county
4 precinct 15; Taos county precincts 7, 18 and 33; and Union
5 county.

6 SECTION 14. SENATE DISTRICT EIGHT.--Senate district eight
7 is composed of Guadalupe county precinct 5; Mora county
8 precincts 1 through 10; San Miguel county precincts 1 through
9 14, 16 through 18 and 23 through 28; Taos county precincts 20,
10 21 and 26; Torraine county precincts 1 through 4, 7 through 12,
11 14 and 16; and Valencia county precincts 30, 34 and 38.

12 SECTION 15. SENATE DISTRICT NINE.--Senate district nine
13 is composed of Bernalillo county precincts 6 through 10, 18,
14 86, 422 and 567; and Sandoval county precincts 1 through 6, 11
15 through 13, 29, 31 through 33, 35, 36, 38, 52 through 57, 59,
16 64 and 76.

17 SECTION 16. SENATE DISTRICT TEN.--Senate district ten is
18 composed of Bernalillo county precincts 2 through 5, 13, 19,
19 68, 69, 78, 79, 84, 87, 89, 116, 170 and 171; and Sandoval
20 county precincts 30, 42 through 46, 72, 85 and 86.

21 SECTION 17. SENATE DISTRICT ELEVEN.--Senate district
22 eleven is composed of Bernalillo county precincts 32, 41, 43,
23 44, 49, 50, 53, 56, 59, 60, 66, 67, 71, 72, 74 and 137 through
24 140.

25 SECTION 18. SENATE DISTRICT TWELVE.--Senate district

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1 twelve is composed of Bernalillo county precincts 45, 61
2 through 65, 101 through 105, 107, 121 through 125, 131 through
3 133, 135, 165, 166, 211, 212, 214 through 217, 221, 223 through
4 226, 241 through 243, 245, 246, 341 through 347 and 355 through
5 358.

6 SECTION 19. SENATE DISTRICT THIRTEEN.--Senate district
7 thirteen is composed of Bernalillo county precincts 11, 12, 14
8 through 17, 21, 30, 83, 108, 110, 150 through 154, 161 through
9 164, 180 through 187, 191 through 197 and 455.

10 SECTION 20. SENATE DISTRICT FOURTEEN.--Senate district
11 fourteen is composed of Bernalillo county precincts 42, 52, 54,
12 58, 73, 75 through 77, 88, 90 through 92, 94 through 99, 106,
13 109 and 141 through 144.

14 SECTION 21. SENATE DISTRICT FIFTEEN.--Senate district
15 fifteen is composed of Bernalillo county precincts 371 through
16 375, 400 through 410, 418 through 421, 431 through 446, 481,
17 488, 490, 493, 494 and 496 through 500.

18 SECTION 22. SENATE DISTRICT SIXTEEN.--Senate district
19 sixteen is composed of Bernalillo county precincts 244, 251
20 through 258, 271 through 274, 278, 311, 313 through 317, 351
21 through 354, 381 through 387, 411 through 417, 461 through 466,
22 471 through 476, 491, 492, 495, 502 through 504, 508 and 509.

23 SECTION 23. SENATE DISTRICT SEVENTEEN.--Senate district
24 seventeen is composed of Bernalillo county precincts 275, 281
25 through 287, 291, 292, 296, 312, 318, 321 through 324, 326

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1 through 331, 477 and 478.

2 **SECTION 24. SENATE DISTRICT EIGHTEEN.**--Senate district
3 eighteen is composed of Bernalillo county precincts 423 through
4 427, 447, 448, 450, 451, 453, 456, 482 through 487, 489, 506,
5 507, 510 through 515, 523, 528, 529, 538, 562, 563, 568 and
6 601.

7 **SECTION 25. SENATE DISTRICT NINETEEN.**--Senate district
8 nineteen is composed of Bernalillo county precincts 289, 290,
9 293 through 295, 297 through 306, 332, 333, 534 through 536,
10 542 through 546, 549, 550, 554 through 556, 559 and 573;
11 Sandoval county precinct 28; and Santa Fe county precincts 15,
12 18, 73, 84 and 85.

13 **SECTION 26. SENATE DISTRICT TWENTY.**--Senate district
14 twenty is composed of Bernalillo county precincts 307, 308, 428
15 through 430, 449, 452, 454, 480, 505, 516 through 522, 524
16 through 527, 530 through 533, 537, 539 through 541, 547, 548,
17 560, 561, 564 through 566, 569, 602 and 603.

18 **SECTION 27. SENATE DISTRICT TWENTY-ONE.**--Senate district
19 twenty-one is composed of Sandoval county precincts 34, 37, 39
20 through 41, 47 through 50, 58, 60 through 62, 65, 67 through
21 71, 73, 74 and 80 through 83.

22 **SECTION 28. SENATE DISTRICT TWENTY-TWO.**--Senate district
23 twenty-two is composed of Bernalillo county precinct 31;
24 McKinley county precincts 7 through 13 and 15; Rio Arriba
25 county precincts 24 through 27, 29 and 30; San Juan county

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1 precincts 14 through 16 and 19; and Sandoval county precincts 7
2 through 10, 14 through 27, 63, 66, 75, 78, 79 and 84.

3 SECTION 29. SENATE DISTRICT TWENTY-THREE.--Senate
4 district twenty-three is composed of Bernalillo county
5 precincts 1, 20, 22, 24, 29, 57, 80 through 82, 85, 111 through
6 115, 117, 118, 127 through 129 and 134.

7 SECTION 30. SENATE DISTRICT TWENTY-FOUR.--Senate district
8 twenty-four is composed of Santa Fe county precincts 24, 25, 31
9 through 35, 38, 39, 41, 49 through 51, 56, 64, 66, 67, 74
10 through 78 and 86.

11 SECTION 31. SENATE DISTRICT TWENTY-FIVE.--Senate district
12 twenty-five is composed of Santa Fe county precincts 8 through
13 11, 13, 20 through 22, 26 through 30, 36, 37, 42 through 48, 52
14 through 55, 65, 68, 69, 71 and 81 through 83.

15 SECTION 32. SENATE DISTRICT TWENTY-SIX.--Senate district
16 twenty-six is composed of Bernalillo county precincts 23, 25
17 through 28, 33 through 40, 46 through 48, 51, 55, 70, 119, 120
18 and 136.

19 SECTION 33. SENATE DISTRICT TWENTY-SEVEN.--Senate
20 district twenty-seven is composed of Chaves county precincts 1,
21 7, 44 and 46; Curry county precincts 4, 6 through 9, 11 through
22 15, 20, 21, 25, 29, 31 and 36; De Baca county; and Roosevelt
23 county precincts 1, 5 through 13, 15, 17, 19 and 21.

24 SECTION 34. SENATE DISTRICT TWENTY-EIGHT.--Senate
25 district twenty-eight is composed of Catron county; Grant

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1 county precincts 1 through 5, 7 through 9, 11 through 28 and 32
2 through 35; and Socorro county precincts 1 through 14, 16
3 through 23, 25 and 26.

4 SECTION 35. SENATE DISTRICT TWENTY-NINE.--Senate district
5 twenty-nine is composed of Bernalillo county precinct 93; and
6 Valencia county precincts 2, 3, 5 through 8, 13 through 16, 19,
7 21 through 28, 31, 32, 35 and 36.

8 SECTION 36. SENATE DISTRICT THIRTY.--Senate district
9 thirty is composed of Cibola county precincts 1 through 3, 5, 7
10 through 14 and 16 through 25; Socorro county precincts 15 and
11 24; and Valencia county precincts 1, 4, 9 through 12, 17, 18,
12 20, 29, 33, 37 and 39 through 41.

13 SECTION 37. SENATE DISTRICT THIRTY-ONE.--Senate district
14 thirty-one is composed of Dona Ana county precincts 7, 9
15 through 15, 74 through 77, 79 through 81, 96, 97, 114 and 120.

16 SECTION 38. SENATE DISTRICT THIRTY-TWO.--Senate district
17 thirty-two is composed of Chaves county precincts 13 through
18 16, 23, 24, 31 through 34, 42, 43, 51, 52, 61 through 63, 71,
19 72, 81, 90 through 92, 94 and 101 through 104; Eddy county
20 precincts 2, 3 and 41; and Otero county precinct 11.

21 SECTION 39. SENATE DISTRICT THIRTY-THREE.--Senate
22 district thirty-three is composed of Chaves county precincts 2
23 through 6, 9 through 12, 21, 22, 25, 35, 36, 82 through 85 and
24 93; Guadalupe county precincts 1 through 4; and Lincoln county.

25 SECTION 40. SENATE DISTRICT THIRTY-FOUR.--Senate district

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1 thirty-four is composed of Eddy county precincts 4 through 8,
2 15, 17 through 21, 25 through 30, 34 through 40, 44 and 45; and
3 Otero county precincts 1 through 9, 28 and 41.

4 SECTION 41. SENATE DISTRICT THIRTY-FIVE.--Senate district
5 thirty-five is composed of Dona Ana county precincts 18, 19 and
6 108; Grant county precincts 6, 10 and 29 through 31; Hidalgo
7 county; Luna county; and Sierra county.

8 SECTION 42. SENATE DISTRICT THIRTY-SIX.--Senate district
9 thirty-six is composed of Dona Ana county precincts 1 through
10 4, 20 through 25, 28 through 32, 35, 36, 41 through 44, 46, 47,
11 60, 63, 83 through 90, 92, 95, 99, 100, 107, 111 and 115.

12 SECTION 43. SENATE DISTRICT THIRTY-SEVEN.--Senate
13 district thirty-seven is composed of Dona Ana county precincts
14 5, 26, 27, 33, 34, 59, 61, 62, 64 through 67, 91, 93, 102, 105,
15 106, 109, 110, 112 and 116 through 119.

16 SECTION 44. SENATE DISTRICT THIRTY-EIGHT.--Senate
17 district thirty-eight is composed of Dona Ana county precincts
18 8, 16, 17, 37 through 40, 45, 48 through 58, 68 through 73, 78,
19 82, 94, 98, 101, 103, 104 and 113.

20 SECTION 45. SENATE DISTRICT THIRTY-NINE.--Senate district
21 thirty-nine is composed of Bernalillo county precincts 551
22 through 553, 557, 558 and 570 through 572; San Miguel county
23 precincts 19 through 22; Santa Fe county precincts 12, 14, 16,
24 17, 19, 57, 62, 63, 70, 72, 80 and 88; and Torrance county
25 precincts 5, 6, 13 and 15.

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1 SECTION 46. SENATE DISTRICT FORTY.--Senate district forty
2 is composed of Dona Ana county precinct 6; and Otero county
3 precincts 10, 12 through 27 and 29 through 40.

4 SECTION 47. SENATE DISTRICT FORTY-ONE.--Senate district
5 forty-one is composed of Eddy county precincts 9 through 14,
6 16, 23, 32 and 33; and Lea county precincts 11, 12, 14 through
7 17, 31, 32, 34 through 36, 52 through 55, 61, 62 and 71 through
8 74.

9 SECTION 48. SENATE DISTRICT FORTY-TWO.--Senate district
10 forty-two is composed of Chaves county precincts 41, 45, 47 and
11 73; Curry county precincts 5, 26 through 28, 30 and 33; Eddy
12 county precincts 1 and 42; Lea county precincts 2, 3, 10, 13,
13 18, 20 through 30, 33, 41 through 44 and 51; and Roosevelt
14 county precincts 2 through 4 and 18.

15 SECTION 49. ELECTION OF SENATORS.--Senators shall be
16 elected from the districts described in the 2011 Senate
17 Redistricting Act at the 2012 and subsequent general elections.

18 SECTION 50. REPEAL.--Sections 2-8D-1 through 2-8D-49 NMSA
19 1978 (being Laws 2002, Chapter 98, Sections 1 through 49) are
20 repealed.