

1 SENATE BILL 22

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Michael Padilla

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10 AN ACT

11 RELATING TO COUNTIES; PROVIDING FOR QUALIFICATIONS TO SERVE AS
12 SHERIFF.

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

15 SECTION 1. A new section of Chapter 4, Article 41 NMSA
16 1978 is enacted to read:

17 "[NEW MATERIAL] SHERIFF--QUALIFICATIONS.--

18 A. In addition to other requirements imposed by
19 law, in order to be elected or appointed as a sheriff, a person
20 shall meet the following qualifications:

21 (1) have at least five years of professional
22 law enforcement experience that may include military law
23 enforcement experience;

24 (2) be a resident of the state for one year
25 and of the county for which the person is seeking to be elected

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1 or appointed sheriff;

2 (3) hold a certificate attesting to completion
3 of a basic law enforcement training program pursuant to Section
4 29-7-6.1 NMSA 1978; and

5 (4) not have been recalled from public office.

6 B. A voter may challenge the candidacy for election
7 to the office of sheriff of any person seeking nomination on
8 the grounds that the person seeking nomination does not meet
9 the qualification requirements of Subsection A of this section.
10 The challenge shall be made by filing a petition in the
11 district court within ten days after the day for filing a
12 declaration of candidacy, which petition shall be heard in the
13 same manner as provided in Subsection F of Section 1-8-26 NMSA
14 1978."

15 SECTION 2. CONTINGENT EFFECTIVE DATE.--The provisions of
16 this act shall become effective upon certification by the
17 secretary of state that Article 7, Section 2 of the
18 constitution of New Mexico has been amended as proposed by a
19 joint resolution of the fifty-third legislature, first session,
20 to provide for qualifications to hold the office of county
21 sheriff, except in H class counties.