HOUSE JOINT RESOLUTION 17

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 4 OF THE CONSTITUTION OF NEW
MEXICO TO PROVIDE THAT A DECLARATION OF A STATE OF EMERGENCY
PURSUANT TO A POWER GRANTED TO THE GOVERNOR BY LAW, AND ORDERS
ISSUED IN ACCORDANCE WITH THAT DECLARATION, SHALL TERMINATE
WITHIN NINETY DAYS AND NOT BE RE-DECLARED UNLESS THE
DECLARATION OF THE STATE OF EMERGENCY IS EXTENDED, MODIFIED OR
TERMINATED BY A JOINT RESOLUTION OF THE LEGISLATURE ON AN
AFFIRMATIVE VOTE OF THREE-FIFTHS OF EACH HOUSE OF THE
LEGISLATURE.

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

    **SECTION 1.**  It is proposed to amend Article 4 of the
constitution of New Mexico by adding a new section to read:

        "A.  A declaration of a state of emergency issued by
the governor pursuant to a gubernatorial power granted to the

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1　　　governor in law, and orders issued in accordance with that

2　　　declaration, shall terminate at the end of ninety days unless

3　　　that declaration is extended, modified or terminated by a joint

4　　　resolution of the legislature on an affirmative vote of three-

5　　　fifths of the members elected to each house of the legislature.

6　　　　　　　B.　A joint resolution may extend, modify or

7　　　terminate a gubernatorial declaration of a state of emergency

8　　　and any order issued in accordance with that declaration.  The

9　　　gubernatorial declaration shall cease to be in effect on the

10　　　termination date specified in the joint resolution, which shall

11　　　be no later than ninety days after the passage of the joint

12　　　resolution.  The legislature may pass other joint resolutions

13　　　for further ninety-day periods in a special session called for

14　　　that purpose, in extraordinary session or in a regular session,

15　　　if one occurs during a declared emergency.

16　　　　　　　C.　During a state of emergency declared by the

17　　　governor, if the legislature is not called into special session

18　　　by the governor, the legislature may call itself into

19　　　extraordinary session in accordance with Article 4, Section 6

20　　　of the constitution of New Mexico to extend, modify or

21　　　terminate the gubernatorial declaration as provided in this

22　　　section."

23　　　　**SECTION 2.**　The amendment proposed by this resolution

24　　　shall be submitted to the people for their approval or

25　　　rejection at the next general election or at any special

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election prior to that date that may be called for that

purpose.

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