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HOUSE BILL 116

**55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022**

INTRODUCED BY

Antonio Maestas and Brian Egolf and Javier Martínez and  
Doreen Y. Gallegos

AN ACT

RELATING TO THE LEGISLATURE; DIRECTING THE LEGISLATIVE COUNCIL  
SERVICE TO DEVELOP AN ONGOING STATUTORY REVISION PROGRAM;  
CREATING THE POSITION OF THE REVISOR OF STATUTES WITHIN THE  
LEGISLATIVE COUNCIL SERVICE; PROVIDING DUTIES; INCLUDING THE  
REVISOR OF STATUTES AS A MEMBER OF THE NEW MEXICO COMPILATION  
COMMISSION; PROVIDING REPORTING REQUIREMENTS.

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

**SECTION 1. [NEW MATERIAL] STATUTORY REVISION PROGRAM.--**

A. The New Mexico legislative council shall direct  
the legislative council service to develop and implement a  
permanent and ongoing statutory revision program for the  
systematic and continuous study of the statutes and possible  
technical revisions to those statutes on an annual basis. The  
purpose of the statutory revision program shall be to make the

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1 statutes more accessible, understandable and usable.

2 B. The director of the legislative council service  
3 shall oversee the statutory revision program.

4 C. When providing a draft revision of a statute,  
5 the legislative council service shall not alter the sense,  
6 meaning or effect of the statute. The statutory revision  
7 program shall be performed in consultation with the New Mexico  
8 compilation commission.

9 D. Prior to January 1 of each year, the director of  
10 the legislative council service shall make available to the New  
11 Mexico legislative council draft legislation consistent with  
12 the purpose of this section. Any conflicts or matters  
13 requiring policy decisions or substantive revisions shall be  
14 made clear with alternative provisions to illustrate the  
15 varying options available.

16 E. The speaker of the house of representatives may  
17 refer the legislation prepared pursuant to this section to  
18 appropriate house standing committees, and the senate majority  
19 leader may recommend referrals of the legislation prepared  
20 pursuant to this section to appropriate senate standing  
21 committees.

22 SECTION 2. [NEW MATERIAL] REVISOR OF STATUTES--  
23 LEGISLATIVE COUNCIL SERVICE.--

24 A. The position of "revisor of statutes" is created  
25 within the legislative council service. The revisor of

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1 statutes shall be a staff member of the legislative council  
2 service and shall report to and serve at the pleasure of the  
3 director of the legislative council service.

4 B. The revisor of statutes shall:

5 (1) assist the legislative council service in  
6 carrying out the provisions of the statutory revision program  
7 provided for in Section 1 of this 2022 act;

8 (2) call to the attention of the New Mexico  
9 legislative council conflicting, obsolete or inoperable  
10 statutes and such other matters as the New Mexico legislative  
11 council deems necessary;

12 (3) coordinate with the New Mexico compilation  
13 commission to ensure the clarity and accessibility of the  
14 statutes; and

15 (4) perform all other duties as provided by  
16 the director of the legislative council service.

17 SECTION 3. Section 2-3-8 NMSA 1978 (being Laws 1951,  
18 Chapter 182, Section 4, as amended) is amended to read:

19 "2-3-8. PURPOSE AND DUTIES OF LEGISLATIVE COUNCIL  
20 SERVICE.--The purpose and duties of the legislative council  
21 service ~~[shall be]~~ are:

22 A. to assist the legislature ~~[of the State of New~~  
23 ~~Mexico]~~ in the proper performance of its constitutional  
24 functions by providing its members with impartial and accurate  
25 information and reports concerning the legislative problems

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1 ~~[which]~~ that come before them; by providing digests showing the  
2 practices of other states and foreign nations in dealing with  
3 similar problems;

4 B. when so requested, to secure information for and  
5 to report to the legislators of this state on the social and  
6 economic effects of statutes of this state or elsewhere by  
7 cooperating with the legislative service agencies in other  
8 states and other reference agencies and libraries;

9 C. to furnish to the members of the legislature ~~[of~~  
10 ~~this state]~~ the assistance of expert ~~[draftsmen]~~ drafters  
11 qualified to aid the legislators in the preparation of bills  
12 for introduction into the legislature;

13 D. to recommend, pursuant to Section 1 of this 2022  
14 act, to the legislature measures ~~[which]~~ that will improve the  
15 form and working of the statutes of this state and clarify and  
16 reconcile their provisions;

17 E. to provide for the legislature adequate staff  
18 facilities and to provide the adequate expert assistance  
19 without which no legislature can properly perform its required  
20 functions; and

21 F. to prepare and index for printing as promptly as  
22 possible after the adjournment of each session the session laws  
23 ~~[therefor]~~ of that session, which compilation shall include all  
24 resolutions and acts ~~[which]~~ that the legislature has adopted  
25 or passed during the session and that have received the

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1 approval of the governor when such approval is necessary."

2 SECTION 4. Section 12-1-2 NMSA 1978 (being Laws 1953,  
3 Chapter 39, Section 2, as amended) is amended to read:

4 "12-1-2. NEW MEXICO COMPILATION COMMISSION--CREATION.--  
5 The "New Mexico compilation commission" is created. The  
6 commission consists of the:

7 A. chief justice of the supreme court or a justice  
8 designated by the chief justice, who shall act as president of  
9 the commission; [~~the~~]

10 B. clerk of the supreme court; [~~the~~]

11 C. attorney general or a deputy or assistant  
12 attorney general designated by the attorney general; [~~the~~]

13 D. dean of the university of New Mexico school of  
14 law or the dean's designee; [~~the~~]

15 E. director of the legislative council service;

16 F. revisor of statutes of the legislative council  
17 service; and [~~the~~]

18 G. president of the state bar of New Mexico or a  
19 bar commissioner designated by the president of the state bar  
20 of New Mexico."

21 SECTION 5. APPROPRIATION.--One hundred thousand dollars  
22 (\$100,000) is appropriated from the general fund to the  
23 legislative council service for expenditure in fiscal year 2023  
24 to employ a revisor of statutes to administer the statutory  
25 revision program. Any unexpended or unencumbered balance

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1 remaining at the end of fiscal year 2023 shall revert to the  
2 general fund.

3 SECTION 6. EFFECTIVE DATE.--The effective date of the  
4 provisions of this act is January 1, 2023.

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