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HOUSE JOINT RESOLUTION 1
55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2021

INTRODUCED BY
James G. Townsend and Rod Montoya

A JOINT RESOLUTION
PROPOSING AN AMENDMENT TO ARTICLE 4, SECTION 6 OF THE
CONSTITUTION OF NEW MEXICO TO PROHIBIT THE CALLING OF A SPECIAL
SESSION OF THE LEGISLATURE WITHIN NINETY DAYS OF THE
ADJOURNMENT OF A REGULAR SESSION OF THE LEGISLATURE UNLESS A
PUBLIC HEALTH EMERGENCY, NATURAL DISASTER OR FISCAL CRISIS HAS
BEEN DECLARED BY THE GOVERNOR.

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

SECTION 1. It is proposed to amend Article 4, Section 6
of the constitution of New Mexico to read:

"Special sessions of the legislature may be called by the
governor; ~~[but]~~ provided that a special session shall not be
called within ninety days of the adjournment of a regular
session of the legislature unless a public health emergency,
natural disaster or fiscal crisis has been declared by the

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1 governor as provided by law and the objects specified in the
2 proclamation are directly related to addressing the public
3 health emergency, natural disaster or fiscal crisis; and
4 provided further that no business shall be transacted in any
5 special session except such as relates to the objects specified
6 in [~~this~~] the proclamation. Provided, however, that when
7 three-fifths of the members elected to the house of
8 representatives and three-fifths of the members elected to the
9 senate shall have certified to the governor of the state of New
10 Mexico that in their opinion an emergency exists in the affairs
11 of the state of New Mexico, it shall thereupon be the duty of
12 [~~said governor~~] and mandatory upon [~~him~~] the governor, within
13 five days from the receipt of such certificate or certificates,
14 to convene said legislature in extraordinary session for all
15 purposes; and in the event said governor shall, within said
16 time, Sundays excluded, fail or refuse to convene said
17 legislature as aforesaid, then and in that event said
18 legislature may convene itself in extraordinary session, as if
19 convened in regular session, for all purposes, provided that
20 such extraordinary self-convened session shall be limited to a
21 period of thirty days, unless at the expiration of said period,
22 there shall be pending an impeachment trial of some officer of
23 the state government, in which event the legislature shall be
24 authorized to remain in session until such trial shall have
25 been completed."

.221020.2

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SECTION 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.