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HOUSE JOINT RESOLUTION 11

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

INTRODUCED BY

Kathleen Cates and Andrea Romero and Christine Chandler
and Patricia Roybal Caballero

A JOINT RESOLUTION

PROPOSING TO REPEAL AND REPLACE ARTICLE 9, SECTION 14 OF THE
CONSTITUTION OF NEW MEXICO TO ALLOW THE STATE, COUNTIES, SCHOOL
DISTRICTS AND MUNICIPALITIES TO MAKE DONATIONS OF PUBLIC FUNDS
TO PRIVATE PERSONS OR PRIVATE ENTITIES FOR PUBLIC PURPOSES AND
TO REPEAL ARTICLE 4, SECTION 31 OF THE CONSTITUTION OF NEW
MEXICO, WHICH PROHIBITS APPROPRIATIONS FOR CHARITABLE,
EDUCATIONAL OR OTHER BENEVOLENT PURPOSES TO A PERSON OR ENTITY
NOT UNDER THE FULL CONTROL OF THE STATE.

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

SECTION 1. It is proposed to amend Article 9 of the
constitution of New Mexico by repealing Section 14 and adding a
new Section 14 to read:

"A. Neither the state nor any county, school
district or municipality shall indirectly or directly lend or
.229937.2

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1 pledge its credit in the aid of or make a donation of public
2 funds to a private person or private entity; provided that a
3 donation to a private person or private entity may be made if
4 the donation is used to accomplish a public purpose. As used
5 in this subsection, "public purpose" means for the benefit of
6 the public health, safety or welfare.

7 B. The provisions of this section are not self-
8 executing. Before public funds are donated to a private person
9 or a private entity, implementing legislation shall be enacted
10 by a majority vote of the members elected to each house of the
11 legislature."

12 SECTION 2. It is proposed to amend Article 4 of the
13 constitution of New Mexico by repealing Section 31.

14 SECTION 3. The amendment proposed by this resolution
15 shall be submitted to the people for their approval or
16 rejection at the next general election or at any special
17 election prior to that date that may be called for that
18 purpose.