

**Legislative Closing Strategy 2019**

The 2019 New Mexico legislative session will end at noon on Saturday, March 16. This guide outlines the high priority bills that remain in play and how you – as trained ACLU-NM legislative advocates – can continue to help us advance the good ones and stop the bad ones during this final crucial period of the session.

The last 10 days of the session will determine whether this session is a success. We’ve already passed our major ACLU-NM bill, the New Mexico Electronic Communications Privacy Act, SB199, which protects our private digital information from being accessed by law enforcement without a warrant. But we are striving to pass several more. We need your help contacting legislators via email, phone and personal visit. We will continue to take small groups of activist leaders up to the Roundhouse to help us advocate for our key issues. If you are interested in doing this, please contact Mary Ann Maestas, Reproductive Rights Field Organizer, mmaestas@aclu-nm.org, Osmani Alcaraz-Ochoa, Criminal Justice Field Organizer, rochoa@aclu-nm.org, or Stephanie Corte, Immigrant Rights Campaign Strategist, scorte@aclu-nm.org.

Thank you so much for your help. We could not do this without you!

**The Final Days**

All of our eight priority bills are still in play this legislative session. We have listed them below.

**WHAT YOU CAN DO:** **Pick one or more of the listed bills that you particularly care about and talk to your legislator about it.** Also, reach out to the legislators on the committee or in the chamber where the bill is next coming to a vote. You can find a link to these legislators under the bill’s location, also listed below.

If you click on the title of the bill you will be taken to the official legislative website for that bill. If you click on the “Location” of the bill you will be taken to the committee or chamber where the bill is expected to come up for a vote. If you scroll down, you will get the list of legislators on that committee or in that chamber. Click on the name to get their contact information.

Keep in mind that the bill locations listed below are moving targets: They change every day. Until the end of the session, we will send out regular updates via email and text to give activists the most up-to-date information possible.

We’ve arranged these 8 bills in three categories: 1) Reproductive Health, Rights and Justice, 2) Criminal Justice Reform, and 3) Immigrant Rights.

**Reproductive Health, Rights and Justice**

These two bills have both passed the House Floor and are now in Senate Committees. That means there is still time for them to pass the senate side and make it to the governor’s desk.

[**Decriminalize Abortion - HB51**](https://www.nmlegis.gov/Legislation/Legislation?Chamber=H&LegType=B&LegNo=51&year=19)

**Location:** [**Senate Judiciary Committee**](https://www.nmlegis.gov/Committee/Standing_Committee?CommitteeCode=SJC)

**Sponsors: Rep. Joanne Ferrary, Rep. Georgene Louis**

Believe it or not, New Mexico still has an old, outdated law from the 1960s on the books that criminalizes abortion. Although the law is unconstitutional (and unenforceable) under *Roe v. Wade*, it’s important to get it off the books now, given the precarious nature of the U.S. Supreme Court and the potential for this outdated law to be used to shame and criminalize women and providers. We are asking our legislature to repeal this outdated law once and for all so we can continue our state’s tradition of protecting access to safe and legal abortion.

***We’ve made calling and emailing Senators easier with patch thru phone number and email.***

* **Call 505-484-2258**
* **Email: bit.ly/SupportHB51**

[**Healthy Coverage for Contraception - HB89**](https://www.nmlegis.gov/Legislation/Legislation?Chamber=H&LegType=B&LegNo=89&year=19)

**Location:** [**Senate Judiciary Committee**](https://www.nmlegis.gov/Committee/Standing_Committee?CommitteeCode=SJC)

**Sponsors: Deborah Armstrong**

Policies that ensure meaningful access to family planning services create health, social, and economic benefits for mothers, newborns, families, and communities. We must maintain and expand access to affordable contraception so that all New Mexicans can have adequate information and options that allow them to prevent, plan, and space their own pregnancies. We need to update our existing laws to ensure that the full range of contraceptive options are covered by insurance companies without out-of-pocket costs or medically unnecessary restrictions. This important bill would also improve access to contraception by covering access for both women and men and requiring insurance companies to cover up to a six-month supply of contraception at once.

**Criminal Justice Reform**

Two of these bills – HB364 and HB370 – have both passed the House floor and are now in Senate Committees. So they also have enough time to pass the senate side and get to the governor’s desk. HB57 is waiting for a hearing on the House floor.

[**Criminal Record Expungement - HB370**](https://www.nmlegis.gov/Legislation/Legislation?Chamber=H&LegType=B&LegNo=370&year=19)

**Location:** [**Senate Judiciary Committee**](https://www.nmlegis.gov/Committee/Standing_Committee?CommitteeCode=SJC)

**Sponsors: Rep. Antonio Maestas, Rep. Andrea Romero, Sen. Bill O’Neill**

New Mexico is one of only a handful of states without any meaningful way to clear past arrest or conviction records. People with criminal records face enormous barriers to employment, safe housing, and myriad other “collateral consequences of conviction” as a result. Expungement has passed the legislature several times but has been vetoed by two former governors: Susana Martinez and Bill Richardson. This year, we’re working with Representative Maestas to introduce the strongest expungement bill yet – one that would allow people with arrest and conviction records to clear those records and move forward with their lives.

**[Corrections Restricted Housing Act HB364](https://www.nmlegis.gov/Legislation/Legislation?Chamber=H&LegType=B&LegNo=364&year=19)**

**Location:** [**Senate Public Affairs Committee**](https://www.nmlegis.gov/Committee/Standing_Committee?CommitteeCode=SPAC)

**Sponsors: Rep. Antonio Maestas, Rep. Elizabeth Thomson, Rep. Andrea Romero, Sen. Mary Kay Papen**

Solitary confinement is widely understood to exacerbate, or even create, mental illness particularly among vulnerable populations. However, the practice is widespread in New Mexico’s prisons and jails. In 2017, Susana Martinez vetoed a bill with bipartisan support that would have limited the use of solitary confinement for children, pregnant women, and people living with a mental illness. It also includes reporting requirements for all detention facilities in New Mexico that use solitary confinement. This year we’re working on a bill that accomplishes the same goals.

**[Restore Felon Voting Rights - HB57](https://www.nmlegis.gov/Legislation/Legislation?Chamber=H&LegType=B&LegNo=57&year=19)**

**Location: [House Floor](https://www.nmlegis.gov/Members/Legislator_List?T=R)**

**Sponsors: Rep. Gail Chasey**

Felony disenfranchisement has a disproportionate impact on people of color and poor people. As of 2017, over 24,000 New Mexicans were not eligible to vote due to felony convictions. We’re working with a coalition of organizations, including Millions for Prisoners, to end this practice in New Mexico. HB57, sponsored by Representative Gail Chasey, would make it so that qualified people convicted of a felony will be able to vote as soon as they are released from prison.

**Immigrant Rights**

HB141 and SB278 have both passed their respective chambers, so they have plenty of time to get to the governor’s desk. We’re still trying to get SB196 passed through the Senate Judiciary Committee.

[**State Disclosure of Sensitive Info - HB141**](https://www.nmlegis.gov/Legislation/Legislation?Chamber=H&LegType=B&LegNo=141&year=19)

**Location:** [**Senate Public Affairs Committee**](https://www.nmlegis.gov/Committee/Standing_Committee?CommitteeCode=SPAC)

**Sponsors: Rep. Miguel Garcia**

Some local jurisdictions in New Mexico have privacy and confidentiality policies that prohibit the disclosure of sensitive private information obtained by public employees to outside agencies, such as a person’s social security number, sexual orientation, a person’s status as a recipient of public assistance, or immigration status. This session we will work with partners to help pass a bill that protects all New Mexicans from disclosure of their most private and sensitive information. This bill would create a confidentiality policy for all state agencies that prohibits government employees from disclosing sensitive personal information acquired by virtue of their position with a state or local government agency to anyone outside of that state or local agency. In addition to the bill’s other benefit, this will provide another measure of protection for immigrant communities in our state.

**[Drivers License Changes - SB278](https://www.nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=278&year=19)**

**Location:** [**House Consumer and Public Affairs**](https://www.nmlegis.gov/Committee/Standing_Committee?CommitteeCode=HCPAC)

**Sponsors: Sen. Gerald Ortiz y Pino, Sen. Daniel Ivey-Soto**

One of the highest-profile indications that New Mexico is a truly immigrant-friendly state is the fact that we have a law that allows undocumented immigrants to receive a state driver’s license. Unfortunately, instead of focusing on how to improve our economy and support New Mexican families, Former Governor Susana Martinez spent her entire time in office trying to make our state a place that’s hostile to immigrants. Although she did her best, she largely failed. But she did use her executive power whenever possible to make it difficult for all New Mexicans (not just immigrants) to get a driver’s license. While a lawsuit by the ACLU-NM, Somos Un Pueblo Unido and other partners has finally made obtaining a Driving Authorization Card (DAC) much easier, there are still statutory changes need to reduce unnecessary barriers for New Mexicans seeking to get a driver’s license. The current law is the product of the politicization of this issue by Martinez. Now that we have a new governor, it’s time to focus on policy over politics. This bill would eliminate a pointless fingerprinting requirement, and changes the name of the DAC to simply “driver’s license” to make it less stigmatized. It would also enact a host of other changes to ensure that the distinction between New Mexico’s REAL ID and non-REAL ID compliant drivers licenses isn’t needlessly confusing.

[**No Resources for Federal Immigration Law - SB196**](https://www.nmlegis.gov/Legislation/Legislation?chamber=S&legType=B&legNo=196&year=19)

**Location:** [**Senate Judiciary Committee**](https://www.nmlegis.gov/Committee/Standing_Committee?CommitteeCode=SJC)

**Sponsors: Sen. Richard Martinez, Sen. Linda Lopez**

We need to invest our local resources in keeping our welcoming state safe and free from discriminatory practices that target vulnerable communities. Right now, local law enforcement is disproportionally policing immigrant communities based solely on the suspicion or assumption that they may be living in New Mexico in violation of federal immigration laws. They are actively participating as an arm of ICE and the federal government instead of focusing local resources and personnel on accountability and creating a true sense of community safety. This means putting a stop to racially profiling immigrant communities and removing the pipeline to deportation that currently exists in New Mexico. This bill would prohibit the use of state and local public funds, personnel, property, and other resources to aid federal agencies in the enforcement of immigration law. Most importantly, it would stop state police and jails from identifying, arresting, detaining, or prolonging the detention of a person based solely on the suspicion or knowledge that the person has entered or is residing in the U.S. in violation of federal immigration laws. New Mexico has traditionally always been a welcoming state when it comes to immigrant communities. This bill will help keep it that way by passing one of the strongest state-wide “sanctuary” measures in the country and in turn protect the constitutional rights of immigrants throughout New Mexico.

**Tell It to the Governor**

Some of these bills could get to the governor’s desk. She will have the final say about whether or not they become the law of the land in New Mexico.

**WHAT YOU CAN DO:** If they pass both chambers, we will need to mobilize volunteers very quickly to contact her office in support these measures. There also may be a few measures that we will need her to veto. We will provide updates on which bills, if any, get through along with additional details on the ACLU-NM’s position on them. Click [here](https://www.governor.state.nm.us/contact-the-governor/) for information on how to contact the governor.

**Stay tuned and THANK YOU for everything you’re doing to defend the civil liberties of all New Mexicans!**

REMINDER: You can find additional information about the session and the legislative process in New Mexico at [the official website of the legislature](https://www.nmlegis.gov/).

**Important Dates**

March 16 – Last day of session (noon)

April 5 – Legislation not acted upon by governor is pocket vetoed

June 14 – Effective date of legislation not a general appropriation bill or a bill carrying an emergency clause or other specified date