

FACT SHEET: HJR 1-2023

Independent Redistricting Commission

The 2023 New Mexico Legislature is considering whether to support an **Independent Redistricting Commission** to draw future voting boundaries. The provision would require a state constitutional amendment and is offered via HJR 1, cosponsored by Rep. Natalie Figueroa (D) and Rep. Jason Harper (R).

What is fair redistricting?

Redistricting is the way voting boundaries are drawn, including for Congress, state legislatures, and (in NM) the Public Education Commission. When those boundaries are manipulated for political gain or to discriminate against certain groups, that's often called gerrymandering. Even when boundaries are not manipulated, lawmakers who draw district lines are placed in difficult conflicts of interest. They know the public overwhelmingly believes that **voters should pick their lawmakers, rather than lawmakers picking their constituents**. In New Mexico, 77% of likely voters support an Independent Redistricting Commission.¹ The same poll indicated that most did not approve of the legislature's performance in the 2021 redistricting cycle.

The core tenets of proposed redistricting reform in our state are based on findings of a statewide task force, organized in 2020 by the nonpartisan [New Mexico First](#) and co-chaired by two retired judges. Among other things, the task force (comprised of Democrats, Republicans, and Independents) called for:

- Treating communities fairly
- Authentically engaging the public in the redistricting process
- Requiring decisions to be reached in open meetings, not behind closed doors
- Taking lawmakers, and former lawmakers, *out* of the map-drawing process – especially for their own elected offices

The complete platform offers [18 detailed recommendations](#).

What does HJR 1 do?

The legislation expands on the initial reforms passed in 2021 that established the Citizen Redistricting Committee (CRC). This seven-member advisory group was established through various appointments, and it gathered public input regarding voting boundaries in New Mexico. The CRC used that input to develop draft district maps to the legislature's consideration. The CRC was commended for running a fair, transparent, and publicly accessible process. However, its recommendations were only advisory. Once its recommendations went to the legislature, current state law allowed NM House and Senate members to amend the maps, which they did for various reasons.

New Mexico's [HJR 1](#) would finish the reform process begun in 2022 by establishing an *independent* redistricting commission rather than an *advisory* one. This change would enable New Mexico to align with best practices nationally; 29 states have some type of redistricting commissions, and 15 of those states put the primary map-drawing responsibilities in the hands of their commissions. New Mexico's proposed law aligns with the gold standard states of Arizona, Colorado, Michigan, and California. **More importantly, passage of HJR 1 would advance voter trust during a time when partisanship and polarization have caused people to have less trust in our election process than ever before.**²

In addition to support from voters statewide, HJR 1 is endorsed by [over forty state and national organizations](#) from across the political spectrum – ranging from the conservative [Save our Western Way of Life](#), to the [Adelante Progressive Caucus](#), to [New Mexico Open Elections](#) (which advocates for Independent voters). Lead organizations engaged in the [Fair Districts New Mexico](#) coalition include the [League of Women Voters of New Mexico](#), [Election Reformers Network](#), [Common Cause New Mexico](#), and [New Mexico First](#).

¹ BSP Research 2022

² CNN [national poll](#) 2022

The following table highlights key differences between the current law and the proposed HJR 1.

Provision	NM Redistricting Act	HJR 1 (2023)	Comments
ELIGIBILITY PROVISIONS			
Commissioners as public officials or party leaders	Two-year ban on public officials, their direct relatives, or political party officers	10-year ban on federal or elected officials, state cabinet secretaries, their direct relatives, or party officers; 5-year ban on local elected officials	Timeframe expanded, and roles clarified, to reduce the likelihood that the commission is populated by people overly influenced by existing elected officials and party insiders. This would address the reality that most of the CRC members were former politicians or party leaders.
Commissioners as candidates, campaign/PAC staffers, or govt employees	Two-year ban on candidates for public office and employees of Congress or the legislature	Five-year ban on candidates for public office, employees of Congress or the legislature, or employees/contractors for a candidate, campaign committee, or PAC	Same reasons as above.
Commissioners as lobbyists	Two years ban on lobbyist	Five-year ban on registered, paid lobbyists	Same reasons as above.
SELECTION AND MEMBER PROVISIONS			
Size of commission	7 members	9 members	Size enlarged slightly to increase the likelihood of achieving a commission that reflects the population of NM, including rural and tribal areas.
Selection process	2 Democrats and 2 Republicans, appointed by their respective legislative leaders; 2 independent or 3 rd party members plus one judicial chair appointed by the State Ethics Commission (SEC)	Public application process with the SEC selecting at least 38 nominees (of which no more than 12 may be of the same party), for review by legislative leadership. ³ Leaders may each strike up to two applicants. The SEC will appoint 9 commissioners from the remaining pool.	This change makes the application process open to all voters, reduces conflicts of interest, and provides modest input by the legislature.
Impartiality	No explicit reference.	The SEC shall strive to select commissioners who commit to an honest, independent, and impartial process. Commissioners will take the standard oath of office.	Added to reinforce goals of impartiality by members and in the overall process.
OPERATIONS AND DELIBERATIVE PROCESS			
Sunshine clause	No reference.	Commissioners shall disclose communication with outside groups attempting to influence the maps outside of public forums.	Advances an open process; reduces concerns about “back door deals.”
Final plans	The CRC submits a minimum of three plans per elected office (i.e., Congress, state house) to the legislature for consideration.	The commission proposes and selects the final plans, submitting to the Secretary of State.	Creates an independent commission, removing the inherent conflict of interest of legislators drawing their own districts and selecting their own constituents.

³ Legislative leaders in this context refers to the Senate president pro tempore, Senate minority floor leader, House speaker, and house minority floor leader.