



STATE OF NEW MEXICO EXECUTIVE OFFICE SANTA FE, NEW MEXICO

Proclamation

WHEREAS, a significant amount of criminal defendants have their charges dropped due to a determination of incompetency and are allowed to go free without receiving the mental health services they need to address their mental health issues and prevent future criminal activity;

WHEREAS, the standard for imposing civil commitment or assisted outpatient treatment in New Mexico is outdated such that the definition of “danger to self” or “danger to others” creates a dangerously high bar to having someone receive the mental health treatment they need, which prevents officials and loved ones from getting those suffering from severe mental illness desperately needed care and jeopardizes community safety as a consequence;

WHEREAS, local law enforcement agencies do not consistently report crime and ballistic information to the Department of Public Safety, which is vital to effective criminal investigations and comprehensive analysis of criminal activities across jurisdictions;

WHEREAS, New Mexico has the nation's highest rate of pedestrian fatalities per capita, according to the Governors Highway Safety Association, and many of these fatalities and other vehicle-pedestrian accidents occur as a result of individuals unsafely remaining on medians;

WHEREAS, New Mexico has some of the highest rates of gun violence in the Nation, and much of this violence is perpetrated by convicted felons;

WHEREAS, New Mexico's Racketeering Act needs to be updated to ensure that the State can stem the rise of organized crime by effectively prosecuting those involved in criminal organizations;

WHEREAS, hundreds of New Mexicans die from drug overdoses every year, many of which are the result of the widespread availability of fentanyl, a powerful synthetic opioid up to fifty times stronger than heroin;

WHEREAS, communities across the State have been devastated by the South Fork and Salt Fires and other natural disasters, as noticed in Major Disaster Declaration DR-4795-NM, and continue to require aid from the federal government to address the aftermath of these natural disasters; and

WHEREAS, it is necessary for the New Mexico State Legislature to convene at the State Capitol Building to address these pressing issues.

NOW THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by Article IV, Section 6 of the New Mexico Constitution, do hereby issue this proclamation and call the Fifty-Sixth Legislature of the State of New Mexico into a Special Session at twelve o'clock p.m. on Thursday July 18, 2024, at the State Capitol Building in Santa Fe. In accordance with Article IV, Section 6, this Special Session is called for the purpose of considering and enacting legislation concerning the following objects and no others: (1) amending certain procedures and requirements relating to criminal competency laws; (2) amending the definitions of “harm to self” and “harm to others” in the Mental Health and Developmental Disabilities Code and the Assisted Outpatient Treatment Act; (3) requiring local law enforcement agencies to submit reports on crime incidents, ballistics information, and other relevant information to the Department of Public Safety on a monthly basis; (4) enacting the Unsafe Use of Public Highways and Medians Act to ensure safe use of medians and roadways by pedestrians; (5) increasing the penalties for felons and serious violent felons found in possession of a firearm; (6) amending the Racketeering Act to add various predicate offenses, expand the definition of “enterprise,” and add various crimes relating to racketeering activity; (7) increasing the basic sentence for crimes involving the possession or trafficking of fentanyl; (8) appropriating funds to Federal Emergency Management Agency (FEMA) Public Assistance eligible applicants that have been approved for FEMA public assistance funding

for projects to replace or repair public infrastructure damaged by fire, flooding, or debris flows that were addressed as part of Major Disaster Declaration DR-4795-NM; and (9) appropriating funds for the expenses of the Fifty-Sixth Legislature, First Special Session, 2024.

Attest:

Maggie Toulouse Oliver

Maggie Toulouse Oliver
Secretary of State

*Done at the Executive Office this
17th day of July 2024.*

*Witness my hand and the Great Seal
of the State of New Mexico.*

Michelle Lujan Grisham

Michelle Lujan Grisham
Governor

