



New Mexico Senate Republican Office

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SENATOR GREG BACA
R – Belen-29

Public Health Orders Terminator bill

- **Senator Gregory Baca Sponsor**
- **Introducing – Public Health Orders Terminator Bill**
- **Automatic two week termination of Public Health Orders**
- **Requires the Legislature’s Approval to extend or change**

Santa Fe—**Public Health Orders that have the power to shut down public places and forbid public gathering will no longer run unchecked under a bill sponsored by Senator Greg Baca of Belen.** Under Baca’s bill, the orders will either automatically terminate within two weeks or require legislative approval to be renewed or changed. (bill is below and is attached)

“The heavy hand of government cannot run unchecked. We need a law in place to have a procedure to scrutinize these overhearing health orders. The representatives of the people, their legislators, are the ones to evaluate on behalf of their constituents whether these burdensome health orders are needed after two weeks,” Senator Baca said.

A Joint Resolution of the Legislature would be required to extend or amend an order. If the legislature is not in session when an health order expires, an order may be renewed or amended in writing by the leadership of the Senate and the House until the legislature is back in session.

If passed, the bill would take place immediately.

AN ACT
RELATING TO PUBLIC HEALTH; PROVIDING FOR AUTOMATIC TERMINATION OF A
PUBLIC HEALTH ORDER THAT CLOSES PUBLIC PLACES OR LIMITS GATHERINGS AND
REQUIRING APPROVAL OF THE LEGISLATURE FOR RENEWAL OR AMENDMENT OF THE
ORDER; DECLARING AN EMERGENCY.

SECTION 1. A new section of the Emergency Powers Code is enacted to read:

"[NEW MATERIAL] PUBLIC HEALTH ORDER--PUBLIC PLACES AND GATHERINGS--TERMINATION AND RENEWAL.--A public health order, issued pursuant to an act in the Emergency Powers Code, that is of general applicability throughout the state or a portion of the state and that closes any public place or forbids or limits gatherings of people shall automatically terminate fourteen days after being issued and may not be renewed or amended, or a

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new order on the same subject matter issued, except by joint resolution of the legislature in regular, special or extraordinary session. If the legislature is not in session at the time of the expiration of an order, an order may be renewed or amended in writing by the leadership of the senate and the house of representatives until the legislature meets in regular, special or extraordinary session. For purposes of this section, "leadership of the senate and the house of representatives" means the president pro tempore and the minority floor leader of the senate and the speaker and the minority floor leader of the house of representatives."

SECTION 2. A new section of the Public Health Act is enacted to read:

"[NEW MATERIAL] PUBLIC HEALTH ORDER--PUBLIC PLACES AND GATHERINGS--TERMINATION AND RENEWAL.--A public health order that is of general applicability throughout the state or a portion of the state that closes any public place or forbids or limits gatherings of people shall automatically terminate fourteen days after being issued and may not be renewed or amended, or a new order on the same subject matter issued, except by joint resolution of the legislature in regular,

special or extraordinary session. If the legislature is not in session at the time of the expiration of an order, an order may be renewed or amended in writing by the leadership of the senate and the house of representatives until the legislature

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SECTION 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.