



Office of the Governor

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Gov. Lujan Grisham ratifies Civil Rights Act

SANTA FE – Gov. Michelle Lujan Grisham on Wednesday signed into law the New Mexico Civil Rights Act, strengthening the protection of New Mexicans’ rights, privileges and immunities as provided for in the bill of rights of the state constitution.

The measure allows a person to litigate any deprivation of those rights, privileges or immunities and prohibits the use of qualified immunity as a defense for depriving a person of those constitutional civil rights.

Per a Senate amendment, claims from incidents prior to July 1, 2021 – the effective date of the new law – may not be brought. A public body’s liability for damages under the state Civil Rights Act is capped at \$2 million.

Sponsored by House Speaker Brian Egolf, Sen. Joseph Cervantes, Rep. Georgene Louis and Rep. Patricia Roybal Caballero, the legislation was a product of the New Mexico Civil Rights Commission, authorized by the Legislature and Gov. Lujan Grisham in a summer 2020 special session to evaluate potential statutory changes or policy recommendations in the wake of the unjustified killing of George Floyd in Minnesota police custody.

“New Mexicans are guaranteed certain rights by our state constitution,” said Gov. Lujan Grisham. “Those rights are sacred, and the constitutional document providing for them is the basis of all we are privileged to do as public servants of the people of this great state. Indeed, good public servants work tirelessly every single day to protect those rights, to ensure them, to safeguard New Mexicans. But when violations do occur, we as Americans know too well that the victims are disproportionately people of color, and that there are too often roadblocks to fighting for those inalienable rights in a court of law.

“In response to some of the commentary surrounding this measure, I will say: This is not an anti-police bill. This bill does not endanger any first responder or public servant – so long as they conduct themselves professionally within the bounds of our constitution and with a deep and active respect for the sacred rights it guarantees all of us as New Mexicans.”

“The New Mexico Civil Rights Act is about ensuring equality and justice for all New Mexicans, no matter their race or background,” said bill sponsor Rep. Georgene Louis. “By making our state agencies accountable for their actions, we build trust between them and our communities, and create a fairer state for everyone.”

“This is a historic day for New Mexico and the nation, as we become the first state to prohibit the use of qualified immunity,” said fellow lead sponsor Speaker of the House Brian Egolf. “Today, our state’s Bill of Rights becomes a living, enforceable document, finally giving those who have their civil rights violated a path to justice in state court, and holding accountable those who do wrong in positions of power.”

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