



FOR IMMEDIATE RELEASE

May 7, 2024

Contact: Brandon Harris

Brandon.Harris@nmlegis.gov

(505) 506-6518

## Secretary of State Rejects Referendum for 7-Day Firearm Waiting Period

SANTA FE—Secretary of State Maggie Toulouse Oliver has denied a referendum petition submitted by **Senator Craig Brandt** (R-Rio Rancho) and **Senator Pat Woods** (R-Broadview) for House Bill 129 which imposes a mandatory seven-day waiting period when purchasing a firearm. The legislation was signed into law by Governor Michelle Lujan Grisham and goes into effect May 15.

“Once again, the Secretary of State has denied New Mexico voters the opportunity to determine whether a highly controversial measure should remain state law,” said Senator Brandt. “The drafters of our state Constitution created the referendum so the people can keep their government accountable. It’s a shame that this process is being repeatedly and unilaterally stifled.”

In denying the referendum, Secretary of State Toulouse Oliver claimed, “House Bill 129 squarely meets the judicial criteria for ‘laws providing for the preservation of the public peace, health or safety.’ The law is a reasonable exercise of the state’s inherent police powers and is exempt from referendum under Article IV Section 1.”

“Our Second Amendment rights are being targeted, and now, our right to participate in government is being suppressed,” added Senator Woods. “Using the Secretary of State’s interpretation of the statute, a referendum is essentially impossible. This is unacceptable and I plan to introduce legislation to clarify and uphold the intent of this constitutional right.”

Under Article IV, Section 1, of the New Mexico Constitution, “The people reserve the power to disapprove, suspend and annul any law enacted by the legislature, except general appropriation laws; laws providing for the preservation of the public peace, health or safety; for the payment of the public debt or interest thereon, or the creation or funding of the same, except as in this constitution otherwise provided; for the maintenance of the public schools or state institutions, and local or special laws.”

###