



RESOLUTION REGARDING NOTICE OF PUBLIC MEETINGS (2025)

WHEREAS, the intention of this resolution is to establish reasonable notice for all public meetings of the New Mexico Sentencing Commission and its committees, as required by the Open Meetings Act (Sections 10-15-1 through 10-15-4 NMSA1978); and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires that a public body subject to the Act “shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body. That notice shall include broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written request for such notice;” and

WHEREAS, the New Mexico Sentencing Commission has determined that notice prescribed in this resolution shall constitute reasonable notice as applied to public meetings of the Commission and its committees;

NOW, THEREFORE, BE IT RESOLVED BY THE NEW MEXICO SENTENCING COMMISSION that the following shall apply to meetings of the Commission:

I. DEFINITIONS

CONTINUED OR RECONVENED MEETING means a meeting that is convened solely for the purpose of finishing business that appeared on an agenda for a previous meeting. Only matters on the agenda for the previous meeting, at which the announcement of the continuance is made, may be acted on at a continued or reconvened meeting;

EMERGENCY means a situation involving, or potentially involving, injury to persons or injury or damage to public or personal property or immediate financial loss when the time requirements for public notice or a special meeting would make such a procedure impractical and increase the likelihood of injury or damages or immediate financial loss;

EMERGENCY MEETING means a meeting called for the purpose of dealing with an emergency;

OTHER BUSINESS means any matter not known about or which could not have been reasonably foreseen prior to the time of posting a meeting agenda;

REGULARLY SCHEDULED MEETING means a meeting scheduled in accordance with Section II of this resolution at which the regular business of the New Mexico Sentencing Commission is conducted; and

SPECIAL MEETING means a meeting other than a regularly scheduled meeting or an emergency meeting.

II. REGULARLY SCHEDULED MEETING

A regularly scheduled public meeting of the New Mexico Sentencing Commission shall be preceded by public notice as follows:

1. The Commission shall provide an agenda to any person upon request and post an agenda for viewing on the Commission website (nmssc.unm.edu) at least seventy-two (72) hours prior to such a meeting; and

2. For meetings of the full Commission, a notice of the date, time, and place of the meeting shall be published at least ten (10) days prior to the meeting in a newspaper of general circulation within the City of Albuquerque, State of New Mexico; and be posted to the Commission's website; and
3. The Commission may cancel a meeting date or designate an alternate meeting date or alternate location and shall cause public notice to be provided as set forth in this resolution.

III. SPECIAL MEETING

A special meeting of the New Mexico Sentencing Commission shall not be held without public notice being given at least seventy-two (72) hours prior to such a meeting. Public notice of the date, time, and place shall be given in writing, in person, or by email, and by posting to the Commission web site (nmsc.unm.edu).

IV. EMERGENCY MEETING

An emergency meeting of the New Mexico Sentencing Commission may be held with public notice given at least within twenty-four (24) hours (or given as far in advance as reasonably possible under the circumstances involved). Notice may be given in person, by telephone, or by electronic means. Within ten (10) days of taking action on an emergency matter, the Commission shall report to the Department of Justice (DOJ) the action taken and the circumstances creating the emergency; provided that the requirement to report to the DOJ is waived upon the declaration of a state or national emergency.

RESOLVED: This resolution was adopted by the New Mexico Sentencing Commission at a meeting of the Commission held on August 7, 2025.

ATTEST:

A handwritten signature in blue ink, appearing to read 'Bob Cleavall', is written over a horizontal line.

Bob Cleavall, Chair
New Mexico Sentencing Commission