



Court ruling will help New Mexico stay a go-to state for women seeking abortions



FILE - New Mexico Attorney General Raul Torrez listens to oral arguments dealing with local municipalities implementing ordinances restricting abortion, Dec. 13, 2023, in Santa Fe, NM.

SANTA FE, NEW MEXICO —

The New Mexico Supreme Court on Thursday struck down abortion restrictions by conservative cities and counties, helping to ensure the state remains a go-to destination for people from other states with bans.

The unanimous opinion, in response to a request from state Attorney General Raúl Torrez, reinforces the state's position as having some of the most liberal abortion laws in the country.

Attorneys representing the cities of Hobbs and Clovis and Lea and Roosevelt counties had argued that provisions of a federal "anti-vice" law known as the Comstock Act block courts from striking down local abortion ordinances.

But Justice C. Shannon Bacon, writing for the majority opinion, said state law precludes cities and counties from restricting abortion or regulating abortion clinics.

"The ordinances violate this core precept and invade the Legislature's authority to regulate access to and provision of reproductive healthcare," she wrote. "We hold the ordinances are preempted in their entirety."

New Mexico Attorney General Raúl Torrez praised the court's ruling Thursday, saying that the core of the argument was that state laws preempted any action by local governments to engage in activities that would infringe on the constitutional rights of citizens.

"The bottom line is simply this: Abortion access is safe and secure in New Mexico," he said. "It's enshrined in law by the recent ruling by the New Mexico Supreme Court and thanks to the work of the New Mexico Legislature."