



The Legislature
of the
State of New Mexico

49th Legislature, Second Session

LAWS 2010

CHAPTER 3

SENATE BILL 6,

with emergency clause

Introduced by

SENATOR PETER WIRTH

EMERGENCY CLAUSE



FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

Chapter 3

AN ACT

RELATING TO COURTS; CREATING ADDITIONAL JUDGESHIPS IN THE
FIRST JUDICIAL DISTRICT AND IN THE DONA ANA MAGISTRATE
DISTRICT; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-6-4 NMSA 1978 (being Laws 1968,
Chapter 69, Section 7, as amended) is amended to read:

"34-6-4. JUDGES--FIRST JUDICIAL DISTRICT.--There shall
be eight district judges in the first judicial district."

Section 2. Section 35-1-10 NMSA 1978 (being Laws 1968,
Chapter 62, Section 12, as amended) is amended to read:

"35-1-10. MAGISTRATE COURT--DONA ANA DISTRICT.--There
shall be six magistrates in Dona Ana magistrate district.
Divisions 1, 2, 3, 4, 5 and 6 shall operate as a single court
in Las Cruces and shall rotate riding circuit to Anthony and
Hatch on a regularly scheduled basis."

Section 3. TEMPORARY PROVISION--DISTRICT JUDGE--
APPOINTMENT.--The additional district judgeship provided for
in this 2010 act shall be filled by appointment by the
governor pursuant to the provisions of Article 6 of the
constitution of New Mexico.

Section 4. TEMPORARY PROVISION--MAGISTRATE COURT--
ELECTION.--

A. The office of magistrate in Dona Ana magistrate

1 district, division 6, shall be filled by the general election
2 in 2010. The first full term of office of the elected
3 magistrate shall begin on January 1, 2011.

4 B. If this act is passed by less than a two-thirds
5 vote of either house of the legislature, the office of
6 magistrate in Dona Ana magistrate district, division 6, shall
7 be filled by appointment by the governor on or after the
8 effective date of this act. The appointed magistrate shall
9 serve until succeeded by a magistrate elected at the general
10 election in 2012.

11 Section 5. CONTINGENT EFFECTIVE DATE.--If this act is
12 passed by less than a two-thirds vote of either house of the
13 legislature, the effective date of the provisions of this act
14 is January 1, 2011.

15 Section 6. EMERGENCY.--It is necessary for the public
16 peace, health and safety that this act take effect
17 immediately. _____

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Diane D. Denish

Diane D. Denish, President
Senate

Lenore M. Naranjo
Lenore M. Naranjo, Chief Clerk
Senate

Ben Lujan

Ben Lujan, Speaker
House of Representatives

Stephen R. Arias
Stephen R. Arias, Chief Clerk
House of Representatives

Approved by me this 23rd day of February, 2010

Bill Richardson

Governor Bill Richardson
State of New Mexico

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