

The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 87

HOUSE BILL 487

Introduced by

REPRESENTATIVE JANE E. POWDRELL-CULBERT AND
REPRESENTATIVE PAUL A. PACHECO



CHAPTER 87

AN ACT

1 RELATING TO MUNICIPAL COURT FEES; ALLOWING A MUNICIPALITY WITH
2 A POPULATION LESS THAN TEN THOUSAND TO TRANSFER BALANCES FROM
3 CERTAIN MUNICIPAL COURT FEES TO THE MUNICIPALITY'S GENERAL
4 FUND.
5

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

8 SECTION 1. Section 35-14-11 NMSA 1978 (being Laws 1983,
9 Chapter 134, Section 6, as amended) is amended to read:

10 "35-14-11. MUNICIPAL ORDINANCE--COURT COSTS--
11 COLLECTION--PURPOSE.--

12 A. Every municipality shall enact an ordinance
13 requiring assessment of corrections fees, judicial education
14 fees and court automation fees to be collected as court costs
15 and used as provided in this section.

16 B. A municipal judge shall collect the following
17 costs:

18 (1) a corrections fee of twenty dollars
19 (\$20.00);

20 (2) a judicial education fee of three
21 dollars (\$3.00); and

22 (3) a court automation fee of six dollars
23 (\$6.00).

24 C. The fees are to be collected upon conviction
25 from persons convicted of violating any ordinance relating to

1 the operation of a motor vehicle or any ordinance that may be
2 enforced by the imposition of a term of imprisonment.

3 D. All money collected pursuant to Paragraph (1)
4 of Subsection B of this section shall be deposited in a
5 special fund in the municipal treasury and shall be used for:

6 (1) municipal jailer or juvenile detention
7 officer training;

8 (2) the construction planning, construction,
9 operation and maintenance of a municipal jail or juvenile
10 detention facility;

11 (3) paying the cost of housing municipal
12 prisoners in a county jail or detention facility or housing
13 juveniles in a detention facility;

14 (4) complying with match or contribution
15 requirements for the receipt of federal funds relating to
16 jails or juvenile detention facilities;

17 (5) providing inpatient treatment or other
18 substance abuse programs in conjunction with or as an
19 alternative to jail sentencing;

20 (6) defraying the cost of transporting
21 prisoners to jails or juveniles to juvenile detention
22 facilities; or

23 (7) providing electronic monitoring systems.

24 E. If a municipality with a population less than
25 ten thousand according to the most recent federal decennial

1 census has a balance in its special fund pursuant to
2 Subsection D of this section that is over the amount projected
3 to be needed for the next fiscal year for the purposes set
4 forth in that subsection, the municipality may transfer the
5 unneeded balance to the municipality's general fund.

6 F. A municipality may credit the interest
7 collected from fees deposited in the special fund pursuant to
8 Subsection D of this section to the municipality's general
9 fund.

10 G. All money collected pursuant to Paragraph (2)
11 of Subsection B of this section shall be remitted monthly to
12 the state treasurer for credit to the judicial education fund
13 and shall be used for the education and training, including
14 production of bench books and other written materials, of
15 municipal judges and other municipal court employees.

16 H. All money collected pursuant to Paragraph (3)
17 of Subsection B of this section shall be remitted monthly to
18 the state treasurer for credit to the municipal court
19 automation fund and shall be used for the purchase,
20 maintenance and operation of court automation systems in the
21 municipal courts. Operation includes staff expenses,
22 temporary or otherwise, and costs as needed to comply with
23 Section 35-14-12 NMSA 1978. The court automation systems
24 shall have the capability of providing, on a timely basis,
25 electronic records in a format specified by the judicial


1 information systems council.

2 I. As used in this section, "convicted" means the
3 defendant has been found guilty of a criminal charge by a
4 municipal judge, either after trial, a plea of guilty or a
5 plea of nolo contendere."

6 SECTION 2. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2015. _____

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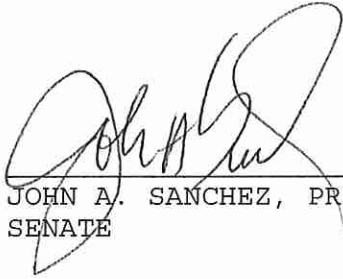
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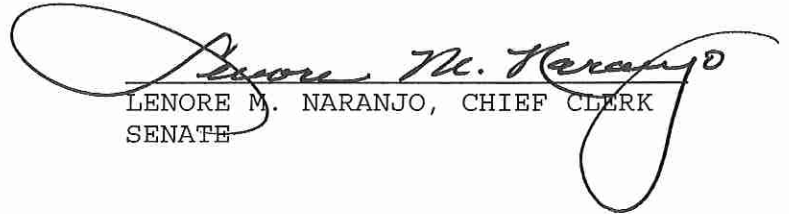
DON TRIPP, SPEAKER
HOUSE OF REPRESENTATIVES



DENISE RAMONAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

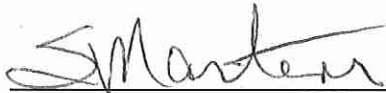


JOHN A. SANCHEZ, PRESIDENT
SENATE



LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 8th day of April, 2015



SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO