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SENATE BILL 293

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY

Raymond L. Kysar

AN ACT

RELATING TO MUNICIPALITIES; LIMITING A MUNICIPALITY'S
PLANNING AND PLATTING JURISDICTION UNDER CERTAIN
CIRCUMSTANCES.

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

Section 1. Section 3-19-5 NMSA 1978 (being Laws 1965,
Chapter 300, Section 14-18-5, as amended) is amended to read:

"3-19-5. PLANNING AND PLATTING JURISDICTION.--

A. Each municipality shall have planning and
planning jurisdiction within its municipal boundary. Except
as provided in Subsection B or C of this section, the
planning and platting jurisdiction of a municipality:

(1) having a population of twenty-five
thousand or more persons includes all territory within five
miles of its boundary and not within the boundary of another
municipality; or

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1 (2) having a population of [~~less~~] fewer than
2 twenty-five thousand persons includes all territory within
3 three miles of its boundary and not within the boundary of
4 another municipality.

5 B. A municipality having a population over two
6 hundred thousand persons located in a class A county shall
7 have planning and platting jurisdiction within five miles of
8 the boundary of the municipality shared with the county and
9 not within the boundary of another municipality through the
10 extraterritorial land use commission that shall make
11 recommendations to the extraterritorial land use authority.

12 C. For municipalities with a population of two
13 hundred thousand or fewer:

14 (1) unless the planning commission for the
15 municipality has prepared and adopted a master plan pursuant
16 to Section 3-19-9 NMSA 1978, the municipality has no planning
17 and platting jurisdiction outside the boundaries of the
18 municipality; and

19 (2) if the planning commission for the
20 municipality has prepared and adopted a master plan pursuant
21 to Section 3-19-9 NMSA 1978, the municipality may exercise
22 its planning and platting jurisdiction outside the boundaries
23 of the municipality only for the planning of utility and
24 transportation corridors.

25 [~~E.~~] D. If territory not lying within the boundary
of a municipality is within the planning and platting
jurisdiction of more than one municipality, the planning and

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1 platting jurisdiction of each municipality shall terminate
2 equidistant from the boundary of each municipality unless one
3 municipality has a population of [~~less~~] fewer than two
4 thousand five hundred persons and another municipality has a
5 population of more than two thousand five hundred persons
6 according to the most recent census. Then the planning and
7 platting jurisdiction of the municipality having the greatest
8 population extends to such territory."

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