

underscored material = new
~~[bracketed material]~~ = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 415

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

INTRODUCED BY
Ramsay Gorham

AN ACT

RELATING TO TAXATION; LIMITING INCREASES IN THE VALUE OF
RESIDENTIAL PROPERTY FOR PROPERTY TAXATION PURPOSES.

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

Section 1. Section 7-36-16 NMSA 1978 (being Laws 1973,
Chapter 258, Section 18) is amended to read:

"7-36-16. RESPONSIBILITY OF COUNTY ASSESSORS TO
DETERMINE AND MAINTAIN CURRENT AND CORRECT VALUES OF
PROPERTY.--

A. County assessors shall determine values of
property for property taxation purposes in accordance with
the Property Tax Code and the regulations, orders, rulings
and instructions of the department. Except as limited in
Section 7-36-21.2 NMSA 1978, they shall also implement a
program of updating property values so that current and
correct values of property are maintained and shall have sole

.130855.2

underscoring material = new
~~[bracketed material] = delete~~

1 responsibility and authority at the county level for property
2 valuation maintenance, subject only to the general
3 supervisory powers of the director.

4 B. The director shall implement a program of
5 regular evaluation of county assessors' valuation activities
6 with particular emphasis on the maintenance of current and
7 correct values.

8 C. Upon request of the county assessor, the
9 director may contract with a board of county commissioners
10 for the department to assume all or part of the
11 responsibilities, functions and authority of a county
12 assessor to establish or operate a property valuation
13 maintenance program in the county. The contract shall be in
14 writing and shall include provisions for the sharing of the
15 program costs between the county and the department. The
16 contract must include specific descriptions of the objectives
17 to be reached and the tasks to be performed by the
18 contracting parties. The initial term of any contract
19 authorized under this subsection shall not extend beyond the
20 end of the fiscal year following the fiscal year in which it
21 is executed, but contracts may be renewed for additional one-
22 year periods for succeeding years.

23 D. The department of finance and administration
24 shall not approve the operating budget of any county in which
25 there is not an adequate allocation of funds to the county
assessor for the purpose of fulfilling his responsibilities
for property valuation maintenance under this section. If

.130855.2

underscored material = new
~~[bracketed material] = delete~~

1 the department of finance and administration questions the
2 adequacy of any allocation of funds for this purpose, it
3 shall consult with the department, the board of county
4 commissioners and the county assessor in making its
5 determination of adequacy.

6 E. To aid the board of county commissioners in
7 determining whether a county assessor is operating an
8 efficient program of property valuation maintenance and in
9 determining the amount to be allocated to him for this
10 function, the county assessor ~~[must]~~ shall present with his
11 annual budget request a written report setting forth
12 improvements of property added to valuation records during
13 the year, additions of new property to valuation records
14 during the year, increases and decreases of valuation during
15 the year, the relationship of sales prices of property sold
16 to values of the property for property taxation purposes and
17 the current status of the overall property valuation
18 maintenance program in the county. The county assessor shall
19 send a copy of this report to the department."

20 Section 2. A new section of the Property Tax Code,
21 Section 7-36-21.2 NMSA 1978, is enacted to read:

22 "7-36-21.2. [NEW MATERIAL] LIMITATION ON INCREASES IN
23 VALUATION OF RESIDENTIAL PROPERTY.--Residential property shall
24 be valued at its current and correct value in accordance with
25 the provisions of the Property Tax Code; provided that for the
2001 and subsequent tax years, the value of a property in any
tax year shall not exceed one hundred three percent of the

.130855.2

underscoring material = new
~~[bracketed material] = delete~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

value in the year prior to the tax year in which the property is being valued or one hundred six percent of the value two years prior to the tax year in which the property is being valued, whichever is higher, plus the value of any physical improvements made to the property during the year prior to the tax year. This limitation on increases in value for property taxation purposes does not apply to valuation of a residential property in the tax year in which it is first valued for property taxation purposes or in any tax year in which the use or zoning of the property has changed in the year prior to the tax year."

Section 3. APPLICABILITY.--The provisions of this act apply to the 2001 and subsequent property tax years.