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**HOUSE BILL 626**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Rick Miera**

**AN ACT**

**RELATING TO TAXATION; AMENDING SECTION 7-38-38.1 NMSA 1978  
(BEING LAWS 1986, CHAPTER 20, SECTION 116, AS AMENDED) TO  
REQUIRE THAT EXPENDITURES FROM THE COUNTY PROPERTY VALUATION  
FUND BE MADE PURSUANT TO AN APPROVED PROPERTY VALUATION  
PROGRAM**

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

**Section 1. Section 7-38-38.1 NMSA 1978 (being Laws 1986,  
Chapter 20, Section 116, as amended) is amended to read:**

**"7-38-38.1. RECIPIENTS OF REVENUE PRODUCED THROUGH AD  
VALOREM LEVIES REQUIRED TO PAY COUNTIES ADMINISTRATIVE CHARGE  
TO OFFSET COLLECTION COSTS. --**

**A. As used in this section:**

**(1) "revenue" means money for which a county  
treasurer has the legal responsibility for collection and**

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1 which is owed to a revenue recipient as a result of an  
2 imposition authorized by law of a rate expressed in mills per  
3 dollar or dollars per thousands of dollars of net taxable  
4 value of property, assessed value of property or a similar  
5 term, including but not limited to money resulting from the  
6 authorization of rates and impositions under Subsection B and  
7 Paragraphs (1) and (2) of Subsection C of Section 7-37-7 NMSA  
8 1978, special levies for special purposes and benefit  
9 assessments, but the term does not include any money resulting  
10 from the imposition of taxes imposed under the provisions of  
11 the Oil and Gas Ad Valorem Production Tax Act, the Oil and Gas  
12 Production Equipment Ad Valorem Tax Act or the Copper  
13 Production Ad Valorem Tax Act or money resulting from  
14 impositions under Paragraph (3) of Subsection C of Section  
15 7-37-7 NMSA 1978; and

16 (2) "revenue recipient" means the state and  
17 any of its political subdivisions, excluding institutions of  
18 higher education located in class A counties and class B  
19 counties having more than three hundred million dollars  
20 (\$300,000,000) valuation, that are authorized by law to  
21 receive revenue.

22 B. Prior to the distribution to a revenue  
23 recipient of revenue received by a county treasurer, the  
24 treasurer shall bill the revenue recipient as an  
25 administrative charge an amount equal to:

. 135185. 1

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1 (1) in class A counties, three-fourths of one  
2 percent of the revenue received, but not to exceed forty  
3 percent of the budget of the county assessor for the current  
4 fiscal year as approved by the department of finance and  
5 administration; and

6 (2) in all other counties, one percent of the  
7 revenue received, but not to exceed forty percent of the  
8 budget of the county assessor for the current fiscal year as  
9 approved by the department of finance and administration.

10 C. The "county property valuation fund" is  
11 created. All administrative charges shall be collected by the  
12 county treasurer and distributed to the county property  
13 valuation fund. The revenue recipient may pay the  
14 administrative charge from any fund unless otherwise  
15 prohibited by law.

16 D. Expenditures from the county property valuation  
17 fund [~~may~~] shall be made pursuant to a property valuation  
18 program presented by the county assessor and approved by the  
19 majority of the county commissioners. "

20 Section 2. EFFECTIVE DATE. -- The effective date of the  
21 provisions of this act is July 1, 2001.