

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

HOUSE BILL 250

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Fred Luna

AN ACT

RELATING TO COUNTIES; ALLOWING ANNEXATION BY RESOLUTION WHEN  
THERE IS NO PROPERTY SUBJECT TO TAXATION INVOLVED.

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

Section 1. Section 4-33-17 NMSA 1978 (being Laws 1985,  
Chapter 64, Section 1) is amended to read:

"4-33-17. ANNEXATION BY RESOLUTION--NOTIFICATION OF  
SECRETARY OF STATE--CHALLENGE.--If there are no qualified  
electors residing within the portion of a county proposed to  
be annexed by another county or there is no property subject  
to any state or local taxation within the portion of a county  
proposed to be annexed by another county, resolutions shall be  
passed by the county commissions of both affected counties  
approving a transfer of the territory from one county to the  
other. The resolutions shall state the facts permitting

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

[~~such~~] the transfer by this method and a description of territory to be transferred. The county clerks shall forward a copy of each resolution to the secretary of state. The county to which the territory is to be transferred shall place the territory within one or more of its voting precincts and so notify the secretary of state for compliance with election laws. Any aggrieved property owner or qualified elector within the annexed territory may file an action in the district court; if no action is filed within ninety days, the transfer of the territory shall take place in accordance with the provisions of Section 4-33-7 NMSA 1978. "