

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 37

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Rodolpho "Rudy" S. Martinez

FOR THE REVENUE STABILIZATION AND TAX POLICY COMMITTEE

AN ACT

RELATING TO TAXATION; REQUIRING THE TAXATION AND REVENUE DEPARTMENT TO CONDUCT DELINQUENT PROPERTY TAX SALES IN EACH COUNTY WITH DELINQUENT PROPERTIES AT LEAST ONE TIME IN EACH CALENDAR YEAR.

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

SECTION 1. Section 7-38-65 NMSA 1978 (being Laws 1973, Chapter 258, Section 105, as amended) is amended to read:

"7-38-65. COLLECTION OF DELINQUENT TAXES ON REAL PROPERTY--SALE OF REAL PROPERTY.--

A. If a lien exists by the operation of Section 7-38-48 NMSA 1978, the department may collect delinquent taxes on real property by selling the real property on which the taxes have become delinquent. The sale of real property for delinquent taxes shall be in accordance with the provisions of

.190720.2

underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 the Property Tax Code. Real property may be sold for
2 delinquent taxes at any time after the expiration of three
3 years from the first date shown on the tax delinquency list on
4 which the taxes became delinquent. Real property shall be
5 offered for sale for delinquent taxes either within four years
6 after the first date shown on the tax delinquency list on which
7 the taxes became delinquent or, if the department is barred by
8 operation of law or by order of a court of competent
9 jurisdiction from offering the property for sale for delinquent
10 taxes within four years after the first date shown on the tax
11 delinquency list on which the taxes became delinquent, within
12 one year from the time the department determines that it is no
13 longer barred from selling the property, unless:

14 (1) all delinquent taxes, penalties, interest
15 and costs due are paid by 5:00 p.m. of the day prior to the
16 date of the sale; or

17 (2) an installment agreement for payment of
18 all delinquent taxes, penalties, [~~interests~~] interest and costs
19 due is entered into with the department by 5:00 p.m. of the day
20 prior to the date of the sale pursuant to Section 7-38-68 NMSA
21 1978.

22 B. Failure to offer property for sale within the
23 time prescribed by Subsection A of this section shall not
24 impair the validity or effect of any sale [~~which~~] that does
25 take place.

.190720.2

underscoring = 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

C. The time requirements of this section are subject to the provisions of Section 7-38-83 NMSA 1978.

D. The department shall conduct at least one sale of real property for delinquent property taxes in each county in which properties listed on the delinquent property tax list are located in each calendar year beginning in 2014."

SECTION 2. APPLICABILITY.--The provisions of this act apply to property tax years beginning on or after January 1, 2014.

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2014.