

1 SENATE BILL 248

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

3 INTRODUCED BY

4 Carlos R. Cisneros and Roberto "Bobby" J. Gonzales

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10 AN ACT

11 RELATING TO PROPERTY TAXATION; PROVIDING FOR A CAP ON THE
12 VALUATION OF CERTAIN LAND PREVIOUSLY VALUED AS LAND USED
13 PRIMARILY FOR AGRICULTURAL PURPOSES; DECLARING AN EMERGENCY.

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

16 SECTION 1. A new Section 7-36-20.1 NMSA 1978 is enacted
17 to read:

18 "7-36-20.1. [NEW MATERIAL] LIMITATION ON INCREASES IN
19 VALUATION--CERTAIN LAND PREVIOUSLY USED PRIMARILY FOR
20 AGRICULTURAL PURPOSES.--

21 A. If land was valued pursuant to Section 7-36-20
22 NMSA 1978 for at least nine of the ten tax years immediately
23 preceding a tax year, but for that tax year is not subject to
24 the method of valuation provided pursuant to that section, the
25 value of the land shall not exceed the higher of one hundred

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underscoring material = new
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1 three percent of its value two tax years before the tax year in
2 which it is being valued or one hundred six and one-tenth
3 percent of its value three tax years before the tax year in
4 which it is being valued. The provisions of this subsection
5 apply only if, during the ten consecutive tax years immediately
6 preceding a tax year in which the land is being valued:

7 (1) the ownership of the land does not change;
8 or

9 (2) the chain of title to the land reflects
10 ownership transfers only between spouses, parents, children or
11 siblings.

12 B. If land was valued pursuant to Subsection A of
13 this section in the previous tax year, the value of the land
14 for a tax year shall not exceed the higher of one hundred three
15 percent of its value for the previous tax year or one hundred
16 six and one-tenth percent of its value two tax years before the
17 tax year in which it is being valued. The provisions of this
18 subsection apply until the value of the land reaches its
19 current and correct value. The provisions of this subsection
20 apply only if, during the tax year before the tax year in which
21 the land is being valued:

22 (1) the ownership of the land does not change;
23 or

24 (2) the chain of title to the land reflects
25 ownership transfers only between spouses, parents, children or

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

1 siblings.

2 C. The provisions of this section do not apply to
3 residential property, commercial property or land subject to a
4 method of valuation provided in Sections 7-36-22 through
5 7-36-25 NMSA 1978.

6 D. All improvements, other than those specified in
7 Section 7-36-15 NMSA 1978, on land valued pursuant to this
8 section shall be valued separately for property taxation
9 purposes and the value of the improvements shall be added to
10 the value of land determined pursuant to this section."

11 SECTION 2. APPLICABILITY.--The provisions of this act
12 apply to the 2014 and subsequent property tax years.

13 SECTION 3. EMERGENCY.--It is necessary for the public
14 peace, health and safety that this act take effect immediately.