

FIFTY-THIRD LEGISLATURE  
FIRST SESSION, 2017

SB 55/a

January 27, 2017

Mr. President:

Your **PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

**SENATE BILL 55**

has had it under consideration and reports same **WITHOUT RECOMMENDATION**, amended as follows:

1. On page 1, line 12, after the semicolon, insert "PROVIDING JURISDICTION TO MUNICIPAL AND METROPOLITAN COURTS;".

2. On page 1, between lines 15 and 16, insert the following new section:

"SECTION 1. Section 3-17-1 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-16-1, as amended) is amended to read:

"3-17-1. ORDINANCES--PURPOSES.--The governing body of a municipality may adopt ordinances or resolutions not inconsistent with the laws of New Mexico for the purpose of:

A. effecting or discharging the powers and duties conferred by law upon the municipality;

B. providing for the safety, preserving the health, promoting the prosperity and improving the morals, order, comfort and convenience of the municipality and its inhabitants; and

C. enforcing obedience to the ordinances by prosecution in the municipal court and metropolitan courts and upon conviction the imposition of:

(1) except for those violations of ordinances described in Paragraphs (2) [~~and (3)~~] through (5) of this subsection, a fine of not more than five hundred dollars (\$500) or imprisonment for not more than ninety days, or both;

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(2) for a violation of an ordinance prohibiting driving a motor vehicle while under the influence of intoxicating liquor or drugs, a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than three hundred sixty-four days, or both; [~~and~~]

(3) for a second or subsequent violation of an ordinance prohibiting reckless driving, a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than one hundred eighty days, or both;

(4) for a first violation of an ordinance prohibiting careless driving, a fine of not more than five hundred dollars (\$500);

(5) for a second or subsequent violation of an ordinance prohibiting careless driving, a fine of not more than one thousand dollars (\$1,000); and

[~~(3)~~] (6) for violations of an industrial user wastewater pretreatment ordinance as required by the United States environmental protection agency, a fine of not more than one thousand dollars (\$1,000) a day for each violation."

3. Renumber the succeeding sections accordingly.

4. On page 2, line 24, strike "Every" and insert in lieu thereof "In addition to any penalties provided pursuant to Subsection B of this section, any".,

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and thence referred to the **JUDICIARY COMMITTEE.**

Respectfully submitted,

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Gerald Ortiz y Pino, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 4 For 1 Against

Yes: 4

No: Brandt

Excused: Ingle, O'Neill, Stewart

Absent: None

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