

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 110

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

William "Bill" R. Rehm

AN ACT

RELATING TO COURTS; PROVIDING THAT A JUDGMENT AND SENTENCE
ISSUED BY A DISTRICT COURT THAT INCLUDES AN ASSESSMENT OF
FINES, FEES OR COSTS CONSTITUTES A MONEY JUDGMENT; PROVIDING
THAT A DISTRICT, METROPOLITAN OR MAGISTRATE COURT MAY ADD TO
THE UNDERLYING JUDGMENT REASONABLE COSTS OF COLLECTION PURSUANT
TO THE JUDGMENT AND SENTENCE.

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

SECTION 1. A new section of Chapter 34, Article 6 NMSA
1978 is enacted to read:

"[NEW MATERIAL] COLLECTION OF FINES, FEES OR COSTS.--A
judgment and sentence issued by a district court that includes
an assessment of fines, fees or costs shall constitute a money
judgment that may be enforced in the same manner as a civil
judgment. The money judgment may be assigned by the court to a

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

underscored material = new
[bracketed material] = delete

1 public or private agency or business for collection purposes,
2 pursuant to the terms and conditions of a written agreement
3 entered into by the court and the agency or business. The
4 court may add reasonable costs of collection not to exceed
5 twenty-five percent of any fines, fees or costs that remain
6 unpaid for more than ninety days pursuant to the judgment and
7 sentence."

8 SECTION 2. Section 34-8A-13 NMSA 1978 (being Laws 1993,
9 Chapter 261, Section 6) is amended to read:

10 "34-8A-13. COLLECTION OF FINES, FEES OR COSTS.--A
11 judgment and sentence issued by [~~the Bernalillo county~~] a
12 metropolitan court that includes an assessment of fines, fees
13 or costs shall constitute a money judgment that may be enforced
14 in the same manner as a civil judgment in [~~the~~] a district
15 court. The money judgment may be assigned by the court to a
16 public or private agency or business for collection purposes,
17 pursuant to the terms and conditions of a written agreement
18 entered into by the court and the agency or business. The
19 court may add reasonable costs of collection not to exceed
20 twenty-five percent of any fines, fees or costs that remain
21 unpaid for more than ninety days pursuant to the judgment and
22 sentence."

23 SECTION 3. Section 35-6-6 NMSA 1978 (being Laws 1993,
24 Chapter 261, Section 8) is amended to read:

25 "35-6-6. COLLECTION OF FINES, FEES OR COSTS.--A judgment

.211318.1

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

1 and sentence issued by a magistrate court that includes an
2 assessment of fines, fees or costs shall constitute a money
3 judgment that may be enforced in the same manner as a civil
4 judgment in ~~[the]~~ a district court. The money judgment may be
5 assigned by the court to a public or private agency or business
6 for collection purposes, pursuant to the terms and conditions
7 of a written agreement entered into by the court and the agency
8 or business. The court may add reasonable costs of collection
9 not to exceed twenty-five percent of any fines, fees or costs
10 that remain unpaid for more than ninety days pursuant to the
11 judgment and sentence."

12 SECTION 4. EFFECTIVE DATE.--The effective date of the
13 provisions of this act is July 1, 2019.

14 - 3 -
15
16
17
18
19
20
21
22
23
24
25