

1 AN ACT

2 RELATING TO LOCAL GOVERNMENT; PROVIDING AUTHORITY FOR COUNTY
3 SOLAR ENERGY IMPROVEMENT SPECIAL ASSESSMENTS TO BE EFFECTIVE
4 IN INCORPORATED MUNICIPALITIES; ALLOWING COUNTIES TO CONTRACT
5 WITH THIRD PARTIES TO ADMINISTER THE SOLAR ENERGY IMPROVEMENT
6 SPECIAL ASSESSMENT.

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

9 SECTION 1. Section 4-37-2 NMSA 1978 (being Laws 1975,
10 Chapter 312, Section 2) is amended to read:

11 "4-37-2. AREAS IN WHICH COUNTY ORDINANCES ARE
12 EFFECTIVE.--County ordinances are effective within the
13 boundaries of the county, including privately owned land or
14 land owned by the United States. However, ordinances are not
15 effective within the limits of any incorporated municipality;
16 provided that an ordinance adopted by a county pursuant to
17 the Solar Energy Improvement Special Assessment Act shall be
18 effective within the limits of an incorporated municipality
19 if the municipality adopts an ordinance approving the
20 application of the county's ordinance within the incorporated
21 municipality."

22 SECTION 2. Section 4-55C-1 NMSA 1978 (being Laws 2009,
23 Chapter 270, Section 1) is amended to read:

24 "4-55C-1. SHORT TITLE.--Chapter 4, Article 55C NMSA
25 1978 may be cited as the "Solar Energy Improvement Special

1 Assessment Act".

2 SECTION 3. Section 4-55C-3 NMSA 1978 (being Laws 2009,
3 Chapter 270, Section 3) is amended to read:

4 "4-55C-3. ORDINANCE IMPOSING SOLAR ENERGY IMPROVEMENT
5 SPECIAL ASSESSMENT.--

6 A. The board of county commissioners of a county
7 may provide by ordinance for a solar energy improvement
8 special assessment to be imposed on a residential or
9 commercial property within the boundaries of the county if
10 the owner of the property requests the assessment.

11 B. A solar energy improvement special assessment
12 may be imposed on commercial property within the boundaries
13 of an incorporated municipality in a county if the
14 municipality adopts an ordinance approving the application of
15 the county's ordinance within the incorporated municipality.

16 C. The purpose of the solar energy improvement
17 special assessment shall be to increase access to the
18 benefits of solar technology improvements by participation in
19 a voluntary special assessment on property, which can be used
20 to facilitate financing arrangements for the eligible solar
21 energy improvements."

22 SECTION 4. A new section of the Solar Energy
23 Improvement Special Assessment Act is enacted to read:

24 "THIRD-PARTY ADMINISTRATOR.--The board of county
25 commissioners may contract with a third party to assist with

