

1 SENATE BILL 179

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022**

3 INTRODUCED BY

4 Pete Campos

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10 AN ACT

11 RELATING TO PROBATE COURTS; ALLOWING PROBATE JUDGES TO SIGN  
12 ORDERS OR OTHER DOCUMENTS FROM A LOCATION IN THE COUNTY THAT IS  
13 NOT THE COUNTY SEAT; REPEALING SECTION 34-7-5 NMSA 1978 (BEING  
14 LAWS 1869-1870, CHAPTER 51, SECTION 2, AS AMENDED) PERTAINING  
15 TO PENALTIES FOR PROBATE JUDGES OR CLERKS.

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

18 SECTION 1. Section 34-7-4 NMSA 1978 (being Laws 1869-  
19 1870, Chapter 51, Section 1, as amended) is amended to read:

20 "34-7-4. PROBATE COURTS TO BE HELD AT COUNTY SEATS--  
21 ALLOWED LOCATIONS FOR SIGNING ORDERS.--~~[Sec. 72.]~~

22 A. The court of each probate ~~[judges]~~ judge of this  
23 state ~~[are strictly required to hold their courts]~~ shall be  
24 located in the county ~~[seats]~~ seat of ~~[their counties, and]~~ the  
25 county the probate judge serves. Each probate ~~[clerks]~~ clerk

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underscored material = new  
[bracketed material] = delete

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

1 shall, at all times, also have ~~[their offices]~~ that clerk's  
2 office in the ~~[said]~~ county seat of the county ~~[at all times]~~  
3 in which the court is located.

4 B. A probate judge may sign orders or other  
5 documents related to probate court matters from any location in  
6 the county in which the probate judge serves."

7 **SECTION 2. REPEAL.**--Section 34-7-5 NMSA 1978 (being Laws  
8 1869-1870, Chapter 51, Section 2, as amended) is repealed.

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