

HOUSE BILL 352

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO COURTS; CLOSING MAGISTRATE CIRCUIT COURTS IN THE MCKINLEY, SANTA FE, TORRANCE, DONA ANA AND LEA DISTRICTS;

HJC → ~~RELOCATING MAGISTRATE DISTRICT COURTS IN THE GRANT AND SAN JUAN DISTRICTS;~~ ← HJC RELOCATING A CIRCUIT COURT IN THE RIO ARRIBA DISTRICT.

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

SECTION 1. Section 35-1-10 NMSA 1978 (being Laws 1968,

.230349.1AIC March 9, 2025 (11:48am)

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Chapter 62, Section 12, as amended) is amended to read:

"35-1-10. MAGISTRATE COURT--DONA ANA DISTRICT.--There shall be seven magistrates in Dona Ana magistrate district. Divisions 1, 2, 3, 4, 5, 6 and 7 shall operate as a single court in Las Cruces and shall rotate riding circuit to Anthony [and Hatch] on a regularly scheduled basis."

HJC→~~SECTION 2. Section 35-1-12 NMSA 1978 (being Laws 1968, Chapter 62, Section 14) is amended to read:~~

~~"35-1-12. MAGISTRATE COURT--GRANT DISTRICT.--~~

~~A. Prior to January 1, 2027, there shall be two magistrates in Grant magistrate district, division 1 in Silver City and division 2 in Bayard.~~

~~B. Beginning January 1, 2027, there shall be two magistrates in Grant magistrate district, and divisions 1 and 2 shall operate as a single court in Silver City."~~←HJC

SECTION HJC→3.←HJC HJC→2.←HJC Section 35-1-16 NMSA 1978 (being Laws 1968, Chapter 62, Section 18, as amended) is amended to read:

"35-1-16. MAGISTRATE COURT--LEA DISTRICT.--

~~[A. Through December 31, 2010, there shall be five magistrates in Lea magistrate district, division 1 in Lovington, divisions 2 and 5 operating as a single court in Hobbs, division 3 in Eunice and division 4. The division 3 magistrate shall ride circuit to Jal on a regularly scheduled basis and shall ride circuit to Hobbs as needed. The division~~

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~~4 magistrate shall ride circuit to Lovington, Hobbs and Eunice.~~

~~B. On January 1, 2011]~~ A. there shall be four magistrates in the Lea magistrate district, divisions 1 and 2 operating as a single court in Hobbs, division 3 in Eunice and division 4 in Lovington. The division 3 magistrate [~~shall ride circuit to Jal on a regularly scheduled basis and~~] shall ride circuit to Hobbs as needed.

~~[G.]~~ B. Magistrate judges shall not be elected at large from the district but shall be elected by the voters of the division for which the magistrate sits. Magistrate judges shall reside in their divisions but shall have district-wide jurisdiction. For the 2010 and subsequent elections, the composition of the divisions for elections and residence purposes is as follows:

(1) division 1 is composed of Lea county precincts 23 through 30, 32 and 41 through 43;

(2) division 2 is composed of Lea county precincts 33 through 35, 44, 51 through 55 and 61;

(3) division 3 is composed of Lea county precincts 20, 22, 31, 36, 62 and 71 through 74; and

(4) division 4 is composed of Lea county precincts 2, 3, 10 through 18 and 21."

SECTION HJC→~~4.~~←HJC HJC→~~3.~~←HJC Section 35-1-20 NMSA 1978 (being Laws 1968, Chapter 62, Section 22, as amended) is amended to read:

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"35-1-20. MAGISTRATE COURT--MCKINLEY DISTRICT.--There shall be three magistrates in McKinley magistrate district, divisions 1, 2 and 3 operating as a single court in Gallup. [~~The division 3 magistrate shall ride circuit to Thoreau.~~]"

SECTION HJC→5.←HJC HJC→4.←HJC Section 35-1-24 NMSA 1978 (being Laws 1968, Chapter 62, Section 26, as amended) is amended to read:

"35-1-24. MAGISTRATE COURT--RIO ARRIBA DISTRICT.--

A. Prior to January 1, 2027, there shall be two magistrates in Rio Arriba magistrate district, divisions 1 and 2 operating as a single court in Espanola. The magistrates shall rotate riding circuit to Chama as needed.

B. Beginning January 1, 2027, there shall be two magistrates in Rio Arriba magistrate district, divisions 1 and 2 operating as a single court in Espanola. The magistrates shall ride circuit to Tierra Amarilla as needed."

HJC→SECTION 6. ~~Section 35-1-27 NMSA 1978 (being Laws 1968, Chapter 62, Section 29, as amended) is amended to read:~~

~~"35-1-27. MAGISTRATE COURT--SAN JUAN DISTRICT ELECTION DIVISION PRECINCTS.--~~

~~A. Prior to January 1, 2027, there shall be six magistrate divisions in San Juan magistrate district, each division having its own magistrate. Divisions 1, 4 and 6 shall operate as a single court in Aztec and divisions 2, 3 and 5 shall operate as a single court in Farmington.~~

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~~B. Beginning January 1, 2027, there shall be six magistrate divisions in San Juan magistrate district, each division having its own magistrate. Divisions 1, 2, 3, 4, 5 and 6 shall operate as a single court in Aztec.~~

~~{B.} C. Magistrate judges shall not be elected at large from the district, but shall be elected by the voters of the division for which the magistrate sits. Magistrate judges may reside anywhere within the magistrate district and shall have district-wide jurisdiction. The composition of the divisions for elections purposes is:~~

~~(1) division 1 is composed of San Juan county precincts 41, 48, 55, 57, 58, 60 through 67 and 72;~~

~~(2) division 2 is composed of San Juan county precincts 1 through 7, 20, 21, 23, 24 and 50;~~

~~(3) division 3 is composed of San Juan county precincts 28, 31, 32, 38 through 40, 42 through 44, 46, 47, 49 and 59;~~

~~(4) division 4 is composed of San Juan county precincts 8 through 19, 52, 53, 71 and 77;~~

~~(5) division 5 is composed of San Juan county precincts 22, 25 through 27, 29, 30, 33 through 37, 45 and 51;~~  
~~and~~

~~(6) division 6 is composed of San Juan county precincts 54, 56, 68 through 70 and 73 through 76."~~←HJC

SECTION HJC→7.←HJC HJC→5.←HJC Section 35-1-29 NMSA 1978

(being Laws 1968, Chapter 62, Section 31, as amended) is amended to read:

"35-1-29. MAGISTRATE COURT--SANTA FE DISTRICT.--There shall be four magistrates in the Santa Fe magistrate district, divisions 1, 2, 3 and 4 operating as a single court in Santa Fe [~~however, one magistrate shall ride circuit to Pojoaque on a regularly scheduled basis~~]."

SECTION HJC→8.←HJC HJC→6.←HJC Section 35-1-33 NMSA 1978

(being Laws 1968, Chapter 62, Section 35, as amended) is amended to read:

"35-1-33. MAGISTRATE COURT--TORRANCE DISTRICT.--There shall be one magistrate in Torrance magistrate district whose principal court is in Moriarty. [~~The magistrate shall ride circuit to Estancia on a regularly scheduled basis.~~]"

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