

HOUSE BILL 352

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

INTRODUCED BY

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AN ACT

RELATING TO COURTS; CLOSING MAGISTRATE CIRCUIT COURTS IN THE MCKINLEY, SANTA FE, TORRANCE, DONA ANA AND LEA DISTRICTS; RELOCATING MAGISTRATE DISTRICT COURTS IN THE GRANT AND SAN JUAN DISTRICTS; 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, 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."

SECTION 2. Section 35-1-12 NMSA 1978 (being Laws 1968,

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1 Chapter 62, Section 14) is amended to read:

2 "35-1-12. MAGISTRATE COURT--GRANT DISTRICT.--

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

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

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

11 "35-1-16. MAGISTRATE COURT--LEA DISTRICT.--

12 ~~[A. Through December 31, 2010, there shall be five~~
13 ~~magistrates in Lea magistrate district, division 1 in~~
14 ~~Lovington, divisions 2 and 5 operating as a single court in~~
15 ~~Hobbs, division 3 in Eunice and division 4. The division 3~~
16 ~~magistrate shall ride circuit to Jal on a regularly scheduled~~
17 ~~basis and shall ride circuit to Hobbs as needed. The division~~
18 ~~4 magistrate shall ride circuit to Lovington, Hobbs and Eunice.~~

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

25 ~~[C.]~~ B. Magistrate judges shall not be elected at

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1 large from the district but shall be elected by the voters of
2 the division for which the magistrate sits. Magistrate judges
3 shall reside in their divisions but shall have district-wide
4 jurisdiction. For the 2010 and subsequent elections, the
5 composition of the divisions for elections and residence
6 purposes is as follows:

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

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

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

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

15 SECTION 4. Section 35-1-20 NMSA 1978 (being Laws 1968,
16 Chapter 62, Section 22, as amended) is amended to read:

17 "35-1-20. MAGISTRATE COURT--MCKINLEY DISTRICT.--There
18 shall be three magistrates in McKinley magistrate district,
19 divisions 1, 2 and 3 operating as a single court in Gallup.
20 [~~The division 3 magistrate shall ride circuit to Thoreau.~~]"

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

23 "35-1-24. MAGISTRATE COURT--RIO ARRIBA DISTRICT.--

24 A. Prior to January 1, 2027, there shall be two
25 magistrates in Rio Arriba magistrate district, divisions 1 and

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1 2 operating as a single court in Espanola. The magistrates
2 shall rotate riding circuit to Chama as needed.

3 B. Beginning January 1, 2027, there shall be two
4 magistrates in Rio Arriba magistrate district, divisions 1 and
5 2 operating as a single court in Espanola. The magistrates
6 shall ride circuit to Tierra Amarilla as needed."

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

9 "35-1-27. MAGISTRATE COURT--SAN JUAN DISTRICT ELECTION
10 DIVISION PRECINCTS.--

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

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

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

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

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

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

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

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

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

15 SECTION 7. Section 35-1-29 NMSA 1978 (being Laws 1968,
16 Chapter 62, Section 31, as amended) is amended to read:

17 "35-1-29. MAGISTRATE COURT--SANTA FE DISTRICT.--There
18 shall be four magistrates in the Santa Fe magistrate district,
19 divisions 1, 2, 3 and 4 operating as a single court in Santa Fe
20 [~~however, one magistrate shall ride circuit to Pojoaque on a~~
21 ~~regularly scheduled basis]."~~

22 SECTION 8. Section 35-1-33 NMSA 1978 (being Laws 1968,
23 Chapter 62, Section 35, as amended) is amended to read:

24 "35-1-33. MAGISTRATE COURT--TORRANCE DISTRICT.--There
25 shall be one magistrate in Torrance magistrate district whose

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principal court is in Moriarty. [~~The magistrate shall ride
circuit to Estancia on a regularly scheduled basis.~~]"