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HOUSE BILL 350

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,  
2000**

INTRODUCED BY  
Manuel Herrera

AN ACT

RELATING TO MUNICIPAL COURTS; AMENDING AND REPEALING CERTAIN  
SECTIONS OF THE LAW TO PROVIDE FOR THE CONTINUED COLLECTION  
OF THE COURT AUTOMATION FEE UNTIL JULY 1, 2004.

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

Section 1. Section 35-14-11 NMSA 1978 (being Laws 1983,  
Chapter 134, Section 6, as amended) is amended to read:

"35-14-11. MUNICIPAL ORDINANCE--COURT COSTS--  
COLLECTION--PURPOSE.--

A. Every municipality shall enact an ordinance  
requiring assessment of corrections fees, judicial education  
fees and court automation fees to be collected as court costs  
and used as provided in this section.

B. As used in this subsection, "convicted" means  
the defendant has been found guilty of a criminal charge by a  
municipal judge, either after trial, a plea of guilty or a

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1 plea of nolo contendere. A municipal judge shall collect the  
2 following costs:

- 3 (1) a corrections fee of ten dollars  
4 (\$10.00);  
5 (2) a judicial education fee of one dollar  
6 (\$1.00); and  
7 (3) until July 1, 2004, a court automation  
8 fee of six dollars (\$6.00); on and after July 1, 2004, no  
9 court automation fee shall be collected.

10 C. The fees are to be collected upon conviction  
11 from persons convicted of violating any ordinance relating to  
12 the operation of a motor vehicle or any ordinance that may be  
13 enforced by the imposition of a term of imprisonment.

14 D. All money collected pursuant to Paragraph (1)  
15 of Subsection B of this section shall be deposited in a  
16 special fund in the municipal treasury and shall be used for  
17 municipal jailer or juvenile detention officer training, for  
18 the construction planning, construction, operation and  
19 maintenance of a municipal jail or juvenile detention  
20 facility, for paying the cost of housing municipal prisoners  
21 in a county jail or housing juveniles in a detention facility  
22 or for complying with match or contribution requirements for  
23 the receipt of federal funds relating to jails or juvenile  
24 detention facilities.

25 E. All money collected pursuant to Paragraph (2)  
of Subsection B of this section shall be remitted monthly to  
the state treasurer for credit to the judicial education fund

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1 and shall be used for the education and training, including  
2 production of bench books and other written materials, of  
3 municipal judges and other municipal court employees.

4 F. All money collected pursuant to Paragraph (3)  
5 of Subsection B of this section shall be remitted monthly to  
6 the state treasurer for credit to the municipal court  
7 automation fund and shall be used for the purchase and  
8 maintenance of court automation systems in the municipal  
9 courts. The court automation systems shall have the  
10 capability of providing, on a timely basis, electronic  
11 records in a format specified by the judicial information  
12 system council."

13 Section 2. Laws 1994, Chapter 69, Section 4, as amended  
14 by Laws 1998, Chapter 103, Section 2, is amended to read:

15 "Section 4. EFFECTIVE DATE.--

16 [~~A.~~] The effective date of the provisions of  
17 Sections 1 and 3 of this act is July 1, 1994.

18 [~~B. The effective date of the provisions of~~  
19 ~~Section 2 of this act is July 1, 2001.~~]"

20 Section 3. REPEAL.--Laws 1994, Chapter 69, Section 2 is  
21 repealed.