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HOUSE BILL 473

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

James G. Taylor

AN ACT

**RELATING TO PROPERTY TAX ADMINISTRATION; AMENDING PROVISIONS
ON COUNTY ADMINISTRATIVE CHARGES.**

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

**Section 1. Section 7-38-38.1 NMSA 1978 (being Laws 1986,
Chapter 20, Section 116, as amended) is amended to read:**

**"7-38-38.1. RECIPIENTS OF REVENUE PRODUCED THROUGH AD
VALOREM LEVIES REQUIRED TO PAY COUNTIES ADMINISTRATIVE CHARGE
TO OFFSET COLLECTION COSTS. --**

A. As used in this section:

**(1) "revenue" means money for which a county
treasurer has the legal responsibility for collection and
which is owed to a revenue recipient as a result of an
imposition authorized by law of a rate expressed in mills per
dollar or dollars per thousands of dollars of net taxable**

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1 value of property, assessed value of property or a similar
2 term, including but not limited to money resulting from the
3 authorization of rates and impositions under Subsection B and
4 Paragraphs (1) and (2) of Subsection C of Section 7-37-7 NMSA
5 1978, special levies for special purposes and benefit
6 assessments, but the term does not include any money resulting
7 from the imposition of taxes imposed under the provisions of
8 the Oil and Gas Ad Valorem Production Tax Act, the Oil and Gas
9 Production Equipment Ad Valorem Tax Act or the Copper
10 Production Ad Valorem Tax Act or money resulting from
11 impositions under Paragraph (3) of Subsection C of Section
12 7-37-7 NMSA 1978; and

13 (2) "revenue recipient" means the state and
14 any of its political subdivisions, excluding institutions of
15 higher education located in class "A" counties and class "B"
16 counties having more than three hundred million dollars
17 (\$300,000,000) valuation, that are authorized by law to
18 receive revenue.

19 B. Prior to the distribution to a revenue
20 recipient of revenue received by a county treasurer, the
21 treasurer shall [~~bill the revenue recipient~~] deduct as an
22 administrative charge an amount equal to

23 [~~(1) in class "A" counties, three-fourths of~~
24 ~~one percent of the revenue received, but not to exceed forty~~
25 ~~percent of the budget of the county assessor for the current~~

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1 ~~fiscal year as approved by the department of finance and~~
2 ~~administration; and~~
3 ~~(2) in all other counties] one percent of the~~
4 ~~revenue received [but not to exceed forty percent of the~~
5 ~~budget of the county assessor for the current fiscal year as~~
6 ~~approved by the department of finance and administration].~~

7 C. The "county property valuation fund" is
8 created. All administrative charges [~~shall be collected~~]
9 deducted by the county treasurer [~~and~~] shall be distributed to
10 the county property valuation fund. [~~The revenue recipient~~
11 ~~may pay the administrative charge from any fund unless~~
12 ~~otherwise prohibited by law.~~]

13 D. Expenditures from the county property valuation
14 fund may be made pursuant to a property valuation program
15 presented by the county assessor and approved by the majority
16 of the county commissioners. "