HOUSE BILL 337

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

W. Ken Martinez

AN ACT

RELATING TO MUNICIPALITIES; INCREASING FINES AND JAIL TERMS THAT MAY BE IMPOSED PURSUANT TO MUNICIPAL ORDINANCES; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 3-17-1 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-16-1, as amended) is amended to read:

"3-17-1. ORDINANCES--PURPOSES.--The governing body of a municipality may adopt ordinances or resolutions not inconsistent with the laws of New Mexico for the purpose of:

A. effecting or discharging the powers and duties conferred by law upon the municipality;

B. providing for the safety, preserving the health, promoting the prosperity and improving the morals, order, comfort and convenience of the municipality and its

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1 inhabitants; and

2   C.   enforcing obedience to the ordinances by

3 prosecution in the municipal court and metropolitan courts and

4 upon conviction the imposition of:

5   (1)   except for those violations of ordinances

6 described in Paragraphs (2) and (3) of this subsection, a fine

7 of not more than [five hundred dollars ($500)] one thousand

8 dollars ($1,000) or imprisonment for not more than [ninety] one

9 hundred seventy-nine days or both;

10   (2)   for a violation of an ordinance

11 prohibiting driving a motor vehicle while under the influence

12 of intoxicating liquor or drugs, a fine of not more than one

13 thousand dollars ($1,000) or imprisonment for not more than

14 three hundred sixty-four days or both; and

15   (3)   for violations of an industrial user

16 wastewater pretreatment ordinance as required by the United

17 States environmental protection agency, a fine of not more

18 than one thousand dollars ($1,000) a day for each violation."

19   Section 2.   EFFECTIVE DATE.--The effective date of the

20 provisions of this act is July 1, 2003.

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