

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 523

**46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004**

INTRODUCED BY

Jeannette O. Wallace

AN ACT

RELATING TO MUNICIPALITIES; PROVIDING FOR CERTAIN COLLECTIONS  
TO BE EXPENDED FOR PUBLIC SAFETY PURPOSES.

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. A municipal judge shall collect the following  
costs:

- (1) a corrections fee of twenty dollars

1 (\$20.00);

2 (2) a judicial education fee of two dollars  
3 (\$2.00); and

4 (3) a court automation fee of six dollars  
5 (\$6.00).

6 C. The fees are to be collected upon conviction  
7 from persons convicted of violating any ordinance relating to  
8 the operation of a motor vehicle or any ordinance that may be  
9 enforced by the imposition of a term of imprisonment.

10 D. All money collected pursuant to Paragraph (1) of  
11 Subsection B of this section shall be deposited in a special  
12 fund in the municipal treasury and shall be used for:

13 (1) municipal jailer or juvenile detention  
14 officer training;

15 (2) the construction planning, construction,  
16 operation and maintenance of a municipal jail or juvenile  
17 detention facility;

18 (3) paying the cost of housing municipal  
19 prisoners in a county jail or detention facility or housing  
20 juveniles in a detention facility;

21 (4) complying with match or contribution  
22 requirements for the receipt of federal funds relating to jails  
23 or juvenile detention facilities;

24 (5) providing inpatient treatment or other  
25 substance abuse programs in conjunction with or as an

.150672.1

underscoring material = new  
[bracketed material] = delete

1 alternative to jail sentencing;

2 (6) defraying the cost of transporting  
3 prisoners to jails or juveniles to juvenile detention  
4 facilities; [~~or~~]

5 (7) providing electronic monitoring systems;

6 or

7 (8) public safety, police and general law  
8 enforcement purposes.

9 E. A municipality may credit the interest collected  
10 from fees deposited in the special fund pursuant to Subsection  
11 D of this section to the municipality's general fund.

12 F. All money collected pursuant to Paragraph (2) of  
13 Subsection B of this section shall be remitted monthly to the  
14 state treasurer for credit to the judicial education fund and  
15 shall be used for the education and training, including  
16 production of bench books and other written materials, of  
17 municipal judges and other municipal court employees.

18 G. All money collected pursuant to Paragraph (3) of  
19 Subsection B of this section shall be remitted monthly to the  
20 state treasurer for credit to the municipal court automation  
21 fund and shall be used for the purchase and maintenance of  
22 court automation systems in the municipal courts. The court  
23 automation systems shall have the capability of providing, on a  
24 timely basis, electronic records in a format specified by the  
25 judicial information systems council.

.150672.1

underscored material = new  
~~[bracketed material]~~ = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

H. As used in this section, "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 plea of nolo contendere."