HOUSE BILL 40

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

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AN ACT

RELATING TO MAGISTRATES; ASSIGNING PRECINCTS TO CURRY COUNTY

MAGISTRATE DISTRICT DIVISIONS; REQUIRING ELECTION BY MAGISTRATE

DIVISIONS IN CURRY COUNTY; DECLARING AN EMERGENCY.

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

Section 1. Section 35-1-8 NMSA 1978 (being Laws 1968,

Chapter 62, Section 10) is amended to read:

"35-1-8. MAGISTRATE COURT--CURRY DISTRICT.--

A. There shall be two [magistrates] magistrate

divisions in Curry magistrate district, each having its own

magistrate. Both divisions [operating] shall operate as a

single court in Clovis.

B. Magistrate judges shall not be elected at-large

from the district, but shall be elected by the voters of the

division for which the magistrate sits. Magistrate judges

.164944.1

1 shall reside anywhere within the magistrate district and shall

2 have districtwide jurisdiction. The composition of the

3 divisions for election purposes is:

4   (1) division 1 is composed of Curry county

5 precincts 5 through 9, 11, 12, 20 through 22 and 25 through 30;

6 and

7   (2) division 2 is composed of Curry county

8 precincts 1 through 4, 10, 13 through 19, 23, 24 and 31 through

9 37."

10   Section 2. EMERGENCY.--It is necessary for the public

11 peace, health and safety that this act take effect immediately.

12   - 2 -

.164944.1