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SENATE BILL 416

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Linda M. Lopez

AN ACT

RELATING TO MISDEMEANOR PENALTY ASSESSMENTS; EXPANDING THE
ASSESSMENT FOR COSTS OF LOCAL GOVERNMENT CORRECTIONS; MAKING AN
APPROPRIATION.

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

Section 1. Section 66-8-116.3 NMSA 1978 (being Laws 1989,
Chapter 318, Section 35, Laws 1989, Chapter 319, Section 14 and
Laws 1989, Chapter 320, Section 5, as amended) is amended to
read:

"66-8-116.3. PENALTY ASSESSMENT MISDEMEANORS--ADDITIONAL
FEES.--In addition to the penalty assessment established for
each penalty assessment misdemeanor, there shall be assessed:

A. in a county without a metropolitan court, twenty
dollars (\$20.00) to help defray the costs of local government
corrections;

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1 B. in a county with a metropolitan court, ten
2 dollars (\$10.00) to help defray the costs of local government
3 corrections;

4 ~~[B.]~~ C. a court automation fee of ten dollars
5 (\$10.00);

6 ~~[C.]~~ D. a traffic safety fee of three dollars
7 (\$3.00), which shall be credited to the traffic safety
8 education and enforcement fund;

9 ~~[D.]~~ E. a judicial education fee of two dollars
10 (\$2.00), which shall be credited to the judicial education
11 fund;

12 ~~[E.]~~ F. a brain injury services fee of five dollars
13 (\$5.00), which shall be credited to the brain injury services
14 fund; and

15 ~~[F.]~~ G. a court facilities fee as follows:
16 in a county with a metropolitan court \$24.00;
17 in any other county 10.00."

18 Section 2. Section 66-8-119 NMSA 1978 (being Laws 1968,
19 Chapter 62, Section 159, as amended) is amended to read:

20 "66-8-119. PENALTY ASSESSMENT REVENUE--DISPOSITION.--

21 A. The division shall remit all penalty assessment
22 receipts, except receipts collected pursuant to Subsections A
23 through ~~[F]~~ G of Section 66-8-116.3 NMSA 1978, to the state
24 treasurer for credit to the general fund.

25 B. The division shall remit all penalty assessment

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1 fee receipts collected pursuant to:

2 (1) Subsection A or B of Section 66-8-116.3
3 NMSA 1978 to the state treasurer for credit to the local
4 government corrections fund;

5 (2) Subsection [~~B~~] C of Section 66-8-116.3
6 NMSA 1978 to the state treasurer for credit to the court
7 automation fund;

8 (3) Subsection [~~E~~] D of Section 66-8-116.3
9 NMSA 1978 to the state treasurer for credit to the traffic
10 safety education and enforcement fund;

11 (4) Subsection [~~D~~] E of Section 66-8-116.3
12 NMSA 1978 to the state treasurer for credit to the judicial
13 education fund;

14 (5) Subsection [~~E~~] F of Section 66-8-116.3
15 NMSA 1978 to the state treasurer for credit to the brain injury
16 services fund; and

17 (6) Subsection [~~F~~] G of Section 66-8-116.3
18 NMSA 1978 to the state treasurer for credit to the court
19 facilities fund."

20 Section 3. EFFECTIVE DATE.--The effective date of the
21 provisions of this act is July 1, 2008.

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