

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

SENATE BILL 527

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO TAXATION; INCREMENTALLY INCREASING AND INDEXING THE  
GASOLINE TAX AND THE SPECIAL FUEL EXCISE TAX.

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

SECTION 1. Section 7-13-3 NMSA 1978 (being Laws 1971,  
Chapter 207, Section 3, as amended) is amended to read:

"7-13-3. IMPOSITION AND RATE OF TAX--DENOMINATION AS  
"GASOLINE TAX".--

A. For the privilege of receiving gasoline in this  
state, there is imposed an excise tax at a rate provided in  
Subsection B of this section on each gallon of gasoline  
received in New Mexico.

B. The tax imposed by Subsection A of this section  
shall be:

(1) on or before June 30, 2019, seventeen

.192676.1

underscoring material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 cents (\$.17) per gallon received in New Mexico;

2 (2) between July 1, 2019 and June 30, 2020,  
3 nineteen cents (\$.19) per gallon received in New Mexico;

4 (3) between July 1, 2020 and June 30, 2021,  
5 twenty-one cents (\$.21) per gallon received in New Mexico;

6 (4) between July 1, 2021 and June 30, 2022,  
7 twenty-three cents (\$.23) per gallon received in New Mexico;

8 (5) between July 1, 2022 and June 30, 2023,  
9 twenty-five cents (\$.25) per gallon received in New Mexico;

10 (6) between July 1, 2023 and June 30, 2024,  
11 twenty-seven cents (\$.27) per gallon received in New Mexico;

12 and

13 (7) on and after July 1, 2024, the rate  
14 determined pursuant to Subsection C of this section.

15 C. No later than April 30, 2024 and April 30 of  
16 each subsequent year, the department shall calculate the rate  
17 of gasoline tax to be imposed as of July 1 of that year. The  
18 rate of the gasoline tax per gallon shall be equal to the  
19 product, rounded down to the nearest whole cent, of twenty-  
20 seven cents (\$.27) multiplied by a fraction with a numerator  
21 equal to the chained price index for the previous calendar year  
22 and a denominator equal to the chained price index for calendar  
23 year 2022. As used in this subsection, "chained price index"  
24 means the chained price index for state and local gross  
25 investment in highways and streets.

.192676.1

underscored material = new  
[bracketed material] = delete

1           ~~[G-]~~ D. The tax imposed by this section may be  
2 called the "gasoline tax".

3           SECTION 2. Section 7-16A-3 NMSA 1978 (being Laws 1992,  
4 Chapter 51, Section 3, as amended) is amended to read:

5           "7-16A-3. IMPOSITION AND RATE OF TAX--DENOMINATION AS  
6 SPECIAL FUEL EXCISE TAX.--

7           A. For the privilege of receiving or using special  
8 fuel in this state, there is imposed an excise tax at a rate  
9 provided in Subsection B of this section on each gallon of  
10 special fuel received in New Mexico.

11           B. The tax imposed by Subsection A of this section  
12 shall be:

13                   (1) on or before June 30, 2019, twenty-one  
14 cents (\$.21) per gallon of special fuel received or used in New  
15 Mexico;

16                   (2) between July 1, 2019 and June 30, 2020,  
17 twenty-three cents (\$.23) per gallon received in New Mexico;

18                   (3) between July 1, 2020 and June 30, 2021,  
19 twenty-five cents (\$.25) per gallon received in New Mexico;

20                   (4) between July 1, 2021 and June 30, 2022,  
21 twenty-seven cents (\$.27) per gallon received in New Mexico;

22                   (5) between July 1, 2022 and June 30, 2023,  
23 twenty-nine cents (\$.29) per gallon received in New Mexico;

24                   (6) between July 1, 2023 and June 30, 2024,  
25 thirty-one cents (\$.31) per gallon received in New Mexico; and

.192676.1

underscored material = new  
[bracketed material] = delete

1                                    (7) on and after July 1, 2024, the rate  
2 determined pursuant to Subsection C of this section.

3                                    C. No later than April 30, 2024 and April 30 of  
4 each subsequent year, the department shall calculate the rate  
5 of special fuel excise tax to be imposed as of July 1 of that  
6 year. The rate of the special fuel excise tax per gallon shall  
7 be equal to the product, rounded down to the nearest whole  
8 cent, of thirty-one cents (\$.31) multiplied by a fraction with  
9 a numerator equal to the chained price index for the previous  
10 calendar year and a denominator equal to the chained price  
11 index for calendar year 2022. As used in this subsection,  
12 "chained price index" means the chained price index for state  
13 and local gross investment in highways and streets.

14                                    [~~G.~~] D. The tax imposed by this section may be  
15 called the "special fuel excise tax".

16                                    **SECTION 3. EFFECTIVE DATE.**--The effective date of the  
17 provisions of this act is July 1, 2013.