AN ACT

RELATING TO COURTS; PROVIDING THAT MAGISTRATES WHO HOLD OFFICE IN DISTRICTS WITH A POPULATION OF MORE THAN TWO HUNDRED THOUSAND PERSONS IN THE LAST FEDERAL DECENNIAL CENSUS MAY BE ELECTED IN THAT DISTRICT AS LONG AS THERE IS NO BREAK IN SERVICE.

- BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
- SECTION 1. Section 35-2-1 NMSA 1978 (being Laws 1968, Chapter 62, Section 41, as amended) is amended to read:
 - "35-2-1. QUALIFICATION--PERSONAL QUALIFICATIONS.--
- A. Each magistrate shall be a qualified elector of, and reside in, the magistrate district for which the magistrate is elected or appointed.
- B. No person is eligible for election or appointment to the office of magistrate unless the person has graduated from high school or has attained the equivalent of a high school education as indicated by possession of a certificate of equivalency issued by the public education department based upon the record made on the general educational development test.
- C. In magistrate districts with a population of more than two hundred thousand persons in the last federal decennial census, no person is eligible for election to the office of magistrate unless the person:

- (1) is a member of the bar of this state and licensed to practice law in this state; or
- (2) holds the office of magistrate in that district when the federal decennial census is published, as long as there is no break in service.
- D. In magistrate districts with a population of more than two hundred thousand persons in the last federal decennial census, no person is eligible for appointment to the office of magistrate unless the person is a member of the bar of this state and licensed to practice law in this state.
- E. A person holding the office of magistrate shall not engage in the private practice of law during tenure in office."

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provi	sions	of	this	act	is	July	1,	2013	•				НВ	
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