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FISCAL IMPACT REPORT

SPONSOR Garcia, M.H. ORIGINAL DATE 01/24/13
LAST UPDATED _____ HB 151
SHORT TITLE Election of Certain Magistrate Judges SB _____
ANALYST Jorgensen

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI	NFI	NFI

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

House Bill 151 addresses the qualifications of magistrate judges in districts with a population greater than 200,000. The current statute provides that anyone elected or appointed magistrate in a district with a population over 200,000 in the last federal decennial census must be an attorney. HB 151 provides that magistrates who hold office in districts with a population greater than 200,000 in the last federal decennial census may be elected in that district as long as there is no break in service.

SIGNIFICANT ISSUES

The only county that this bill would immediately affect is Dona Ana, which passed 200,000 in the last census.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Currently only two of the six magistrates in Dona Ana are attorneys. If the court were to acquire four new judges in the 2014 election, it would be a difficult transition for this high-volume court. Allowing the public to re-elect sitting magistrates who have already been trained would promote efficiency of court operations while contributing to a smooth transition to an all-lawyer bench.