

1 SENATE BILL 84

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

3 INTRODUCED BY

4 Richard C. Martinez

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8 ENDORSED BY THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

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10 AN ACT

11 RELATING TO COURT OPERATIONS; REMOVING REVERSION FROM THE
12 MAGISTRATE COURTS OPERATIONS FUND; EXTENDING THE PERIOD DURING
13 WHICH THE MAGISTRATE COURTS OPERATIONS FEE SHALL BE ASSESSED.

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

16 SECTION 1. Section 35-7-13 NMSA 1978 (being Laws 2010,
17 Chapter 7, Section 1) is amended to read:

18 "35-7-13. MAGISTRATE COURTS OPERATIONS FUND--CREATED--
19 PURPOSE [~~TERMINATION OF FUND~~].--The "magistrate courts
20 operations fund" is created in the state treasury for
21 appropriation by the legislature for the operations of
22 magistrate courts. The fund consists of magistrate courts
23 operations fees collected pursuant to Section 66-8-116.3 NMSA
24 1978 and any appropriations, gifts, grants and donations.
25 Income from the fund shall be credited to the fund. Money in
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1 the fund at the end of a fiscal [~~years 2010, 2011, 2012 and~~
2 ~~2013~~] year shall not revert to any other fund. [~~Balances~~
3 ~~remaining in the fund at the end of fiscal year 2014 shall~~
4 ~~revert to the general fund, and the fund shall be dissolved on~~
5 ~~July 1, 2014.~~]"

6 SECTION 2. Section 66-8-116.3 NMSA 1978 (being Laws 1989,
7 Chapter 318, Section 35 and Laws 1989, Chapter 319, Section 14
8 and also Laws 1989, Chapter 320, Section 5, as amended) is
9 amended to read:

10 "66-8-116.3. PENALTY ASSESSMENT MISDEMEANORS--ADDITIONAL
11 FEES.--In addition to the penalty assessment established for
12 each penalty assessment misdemeanor, there shall be assessed:

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

16 B. a court automation fee of ten dollars (\$10.00);

17 C. a traffic safety fee of three dollars (\$3.00),
18 which shall be credited to the traffic safety education and
19 enforcement fund;

20 D. a judicial education fee of three dollars
21 (\$3.00), which shall be credited to the judicial education
22 fund;

23 E. a jury and witness fee of five dollars (\$5.00),
24 which shall be credited to the jury and witness fee fund;

25 F. a juvenile adjudication fee of one dollar

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1 (\$1.00), which shall be credited to the juvenile adjudication
2 fund;

3 G. a brain injury services fee of five dollars
4 (\$5.00), which shall be credited to the brain injury services
5 fund;

6 H. a court facilities fee as follows:
7 in a county with a metropolitan court \$24.00;
8 in any other county 10.00;
9 and

10 I. until May 31, [~~2014~~] 2019 a magistrate courts
11 operations fee of four dollars (\$4.00), which shall be credited
12 to the magistrate courts operations fund."