

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 312

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

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO VETERANS; PROVIDING AN EXEMPTION FROM THE IMPOSITION OF A SPECIAL BENEFIT ASSESSMENT FOR DISABLED VETERANS.

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

SECTION 1. [NEW MATERIAL] PROPERTY OWNED BY A DISABLED VETERAN IS EXEMPT FROM A SPECIAL BENEFIT ASSESSMENT.--

A. Property owned by a disabled veteran, including joint or community property of the veteran and the veteran's spouse, is exempt from the imposition of a special benefit assessment if the property is occupied by the disabled veteran as the veteran's principal place of residence. Property held in a grantor trust established under Sections 671 through 677 of the Internal Revenue Code of 1986, as those sections may be amended or renumbered, by a disabled veteran or the veteran's

underscored material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 surviving spouse is also exempt from the imposition of a
2 special benefit assessment if the property otherwise meets the
3 requirements for exemption in this subsection or Subsection B
4 of this section.

5 B. The property of the surviving spouse of a
6 disabled veteran is exempt from property taxation if:

7 (1) the surviving spouse and the disabled
8 veteran were married at the time of the disabled veteran's
9 death; and

10 (2) the surviving spouse continues to occupy
11 the property continuously after the disabled veteran's death as
12 the spouse's principal place of residence.

13 C. For purposes of this section:

14 (1) "disabled veteran" means an individual
15 who:

16 (a) has been honorably discharged from
17 membership in the armed forces of the United States or has
18 received a discharge certificate from a branch of the armed
19 forces of the United States for civilian service recognized
20 pursuant to federal law as service in the armed forces of the
21 United States; and

22 (b) has been determined pursuant to
23 federal law to have a one hundred percent permanent and total
24 service-connected disability;

25 (2) "honorably discharged" means discharged

.196202.1

underscoring material = new
~~[bracketed material] = delete~~

1 from the armed forces pursuant to a discharge other than a
2 dishonorable or bad conduct discharge; and

3 (3) "special benefit assessment" means an
4 assessment or levy authorized by law for benefits, damages,
5 construction, improvements or maintenance on property that is
6 specially benefited by the benefits, damages, construction,
7 improvements or maintenance; and includes an assessment or levy
8 authorized by The Conservancy Act of New Mexico and other
9 similar laws outside the Property Tax Code.