

1 SENATE BILL 84

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Jacob R. Candelaria

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8 ENDORSED BY THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

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10 AN ACT

11 RELATING TO COURTS; PROVIDING THAT A MUNICIPALITY MAY APPEAL TO
12 THE COURT OF APPEALS FROM ANY DECISION OF THE DISTRICT COURT
13 RELATING TO THE VIOLATION OF AN ORDINANCE.

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

16 SECTION 1. Section 35-15-11 NMSA 1978 (being Laws 1935,
17 Chapter 28, Section 1, as amended) is amended to read:

18 "35-15-11. MUNICIPALITY MAY APPEAL.--~~[The]~~ A municipality
19 ~~[shall have]~~ has the right to appeal to the district court from
20 the municipal court and to the ~~[supreme]~~ court of appeals from
21 any decision of the district court in every case brought for
22 the violation of an ordinance of ~~[said]~~ the municipality. The
23 municipality shall be allowed an appeal from the municipal
24 court to the district court only when the municipal court has
25 held an ordinance or section ~~[thereof]~~ of an ordinance invalid

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underscored material = new
[bracketed material] = delete

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

1 or unconstitutional or that the complaint is not legally
2 sufficient."

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