

1 SENATE BILL 248

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

3 INTRODUCED BY

4 Michael S. Sanchez

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10 AN ACT

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

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

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

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

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underscored material = new
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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 the imposition of a special
7 benefit assessment if:

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

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

14 C. For purposes of this section:

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

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

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

underscoring material = new
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(2) "honorably discharged" means discharged from the armed forces pursuant to a discharge other than a dishonorable or bad conduct discharge; and

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