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SENATE BILL 514

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

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO APPEALS FROM THE MAGISTRATE COURTS; AMENDING  
CHANGES TO MAGISTRATE COURT JUDGMENTS ON APPEAL.

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

**SECTION 1.** Section 35-13-2 NMSA 1978 (being Laws 1975,  
Chapter 242, Section 10, as amended) is amended to read:

"35-13-2. APPEALS--DISTRICT COURT PROCEEDINGS--DOCKET  
FEES--JUDGMENT.--

A. Appeals from the magistrate courts shall be  
tried de novo in the district court.

B. The district court docket fee in any criminal  
appeal is thirty-five dollars (\$35.00), ten dollars (\$10.00) of  
which shall be deposited in the court automation fund.

C. If the judgment of the magistrate court in a  
criminal action is affirmed or rendered against the appellant

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1 on appeal or if the appellant fails to appear at the time fixed  
2 for hearing in the district court, the district court shall  
3 ~~[enter judgment imposing the same, a greater or a lesser]~~ not  
4 increase the penalty ~~[as that]~~ imposed in the magistrate court  
5 in the action."

6 SECTION 2. EFFECTIVE DATE.--The effective date of the  
7 provisions of this act is July 1, 2015.

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