

1 AN ACT

2 RELATING TO TAXATION; REQUIRING THAT THE TREASURER OF THE  
3 COUNTY IN WHICH A PUBLIC IMPROVEMENT DISTRICT IS FORMED BE  
4 NOTIFIED OF THAT FORMATION.

5  
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. Section 5-11-8 NMSA 1978 (being Laws 2001,  
8 Chapter 305, Section 8) is amended to read:

9 "5-11-8. FORMATION--DEBT LIMITATION.--

10 A. If the formation of the district is approved by  
11 at least a three-fourths' majority of the votes cast at the  
12 election, the governing body shall cause a copy of the  
13 resolution ordering formation of the district to be delivered  
14 to the county assessor, the county treasurer and the county  
15 in which the district is located and to the taxation and  
16 revenue department and the local government division of the  
17 department of finance and administration. A notice of the  
18 formation showing the number and date of the resolution and  
19 giving a description of the land included in the district  
20 shall be recorded with the county clerk.

21 B. Except as otherwise provided in this section, a  
22 district shall be a political subdivision of the state,  
23 separate and apart from the municipality or county. The  
24 amount of indebtedness evidenced by general obligation bonds  
25 issued pursuant to Section 5-11-19 NMSA 1978, special levy

1 bonds issued pursuant to Section 5-11-20 NMSA 1978 and  
2 revenue bonds issued pursuant to Section 5-11-21 NMSA 1978  
3 shall not exceed the estimated cost of the public  
4 infrastructure improvements plus all costs connected with the  
5 public infrastructure purposes and issuance and sale of  
6 bonds, including, without limitation, formation costs, credit  
7 enhancement and liquidity support fees and costs. The total  
8 aggregate outstanding amount of bonds and any other  
9 indebtedness for which the full faith and credit of the  
10 district are pledged shall not exceed sixty percent of the  
11 market value of the real property and improvements in the  
12 district after the public infrastructure improvements of the  
13 district are completed plus the value of the public  
14 infrastructure owned or to be acquired by the district with  
15 the proceeds of the bonds and shall not affect the general  
16 obligation bonding capacity of the municipality or county in  
17 which the district is located.

18 C. Bonds issued by a district shall not be a  
19 general obligation of the state, the county or the  
20 municipality in which the district is located and shall not  
21 pledge the full faith and credit of the state, the county or  
22 the municipality in which the district is located,  
23 irrespective of whether the district board is governed by the  
24 governing body of the county or municipality in which the  
25 district is located.

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D. Following formation of the district, the district board shall administer in a reasonable manner the implementation of the general plan for the public infrastructure improvements of the district."

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2017. \_\_\_\_\_