

HOUSE BILL 185

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC SAFETY; PROVIDING FOR COUNTIES TO ESTABLISH  
PRETRIAL RELEASE COMPLIANCE PROGRAMS AND CHARGE FEES; ALLOWING  
FOR FEES TO BE WAIVED.

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

SECTION 1. [NEW MATERIAL] PRETRIAL RELEASE COMPLIANCE  
PROGRAMS--COUNTIES MAY ESTABLISH--FEES.--

A. A county may create a "pretrial release  
compliance program" to monitor defendants' compliance with the  
conditions of pretrial release imposed by a district or  
magistrate court.

B. A county's pretrial release compliance program  
shall comply with guidelines established by the administrative  
office of the courts.

C. The court may require the defendant to pay a fee

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1 not to exceed fifty dollars (\$50.00) per month to the county  
2 according to a sliding fee scale established by the  
3 administrative office of the courts.

4 D. The court may waive fees if the court determines  
5 that the defendant is found to be indigent and is unable to pay  
6 the fees.

7 E. Fees paid to the county shall be used only to  
8 operate the pretrial release compliance program. Counties may  
9 also obtain other funding or dedicate other county funds to  
10 mitigate or eliminate the need for defendants to pay fees.