

HOUSE BILL 110

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

William "Bill" R. Rehm

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO COURTS; PROVIDING THAT A JUDGMENT AND SENTENCE ISSUED BY A DISTRICT COURT THAT INCLUDES AN ASSESSMENT OF FINES, FEES OR COSTS CONSTITUTES A MONEY JUDGMENT HJC→;

~~PROVIDING THAT A DISTRICT, METROPOLITAN OR MAGISTRATE COURT MAY ADD TO THE UNDERLYING JUDGMENT REASONABLE COSTS OF COLLECTION PURSUANT TO THE JUDGMENT AND SENTENCE~~←HJC.

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

SECTION 1. A new section of Chapter 34, Article 6 NMSA 1978 is enacted to read:

.211318.1

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[bracketed material] = delete

Amendments: new = →bold, blue, highlight←

delete = →bold, red, highlight, strikethrough←

underscored material = new

[bracketed material] = delete

Amendments: new = →bold, blue, highlight↔

delete = →bold, red, highlight, strikethrough↔

"[NEW MATERIAL] COLLECTION OF FINES, FEES OR COSTS.--A judgment and sentence issued by a district court that includes an assessment of fines, fees or costs shall constitute a money judgment that may be enforced in the same manner as a civil judgment. The money judgment may be assigned by the court to a public or private agency or business for collection purposes, pursuant to the terms and conditions of a written agreement entered into by the court and the agency or business HJC→."←HJC HJC→~~The court may add reasonable costs of collection not to exceed twenty-five percent of any fines, fees or costs that remain unpaid for more than ninety days pursuant to the judgment and sentence."~~

~~SECTION 2. Section 34-8A-13 NMSA 1978 (being Laws 1993, Chapter 261, Section 6) is amended to read:~~

~~"34-8A-13. COLLECTION OF FINES, FEES OR COSTS.--A judgment and sentence issued by [the Bernalillo county] a metropolitan court that includes an assessment of fines, fees or costs shall constitute a money judgment that may be enforced in the same manner as a civil judgment in [the] a district court. The money judgment may be assigned by the court to a public or private agency or business for collection purposes, pursuant to the terms and conditions of a written agreement entered into by the court and the agency or business. The court may add reasonable costs of collection not to exceed twenty-five percent of any fines, fees or costs that remain~~

.211318.1

underscored material = new

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~~unpaid for more than ninety days pursuant to the judgment and sentence."~~

~~SECTION 3. Section 35-6-6 NMSA 1978 (being Laws 1993, Chapter 261, Section 8) is amended to read:~~

~~"35-6-6. COLLECTION OF FINES, FEES OR COSTS.--A judgment and sentence issued by a magistrate court that includes an assessment of fines, fees or costs shall constitute a money judgment that may be enforced in the same manner as a civil judgment in [the] a district court. The money judgment may be assigned by the court to a public or private agency or business for collection purposes, pursuant to the terms and conditions of a written agreement entered into by the court and the agency or business. The court may add reasonable costs of collection not to exceed twenty-five percent of any fines, fees or costs that remain unpaid for more than ninety days pursuant to the judgment and sentence."~~ ←HJC

SECTION HJC → 4. 2. ←HJC EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2019.