

HOUSE BILL 176

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Andrea Romero

AN ACT

RELATING TO PUBLIC LAND LEASES; CLARIFYING THAT A MUNICIPALITY
MAY USE CERTAIN LEASED LAND FOR ECONOMIC DEVELOPMENT;
INCREASING THE TERM FOR CERTAIN LEASES ENTERED INTO BETWEEN A
MUNICIPALITY AND THE STATE; INCREASING THE TERM FOR CERTAIN
LEASES ENTERED INTO BETWEEN A COUNTY AND THE STATE.

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

SECTION 1. Section 19-7-54 NMSA 1978 (being Laws 1929,
Chapter 53, Section 1) is amended to read:

"19-7-54. MUNICIPALITIES LEASING LANDS WITHIN FIVE MILES
OF LIMITS--USES--TERM.--Wherever any lands belonging to the
state [~~of New Mexico~~] or under the supervision of the
commissioner [~~of public lands of the state of New Mexico~~] are
situate within five miles of any municipality and [~~any such~~]
the municipality may have use for [~~said~~] the state [~~land or~~]

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1 lands for airports, parks, swimming pools, fairgrounds,
2 playgrounds, economic development or other municipal purposes,
3 [~~said~~] the municipality is authorized and empowered to lease
4 [~~said~~] the lands or so much thereof as may be reasonably
5 necessary for such purpose [~~or purposes~~] from the commissioner
6 [~~of public lands of the state of New Mexico~~], and [~~said~~] upon
7 receipt of a request for such a lease, the commissioner [~~of~~
8 ~~public lands~~] is [~~hereby~~] authorized and empowered to enter
9 into such a lease for a term not exceeding [~~twenty-five~~] forty
10 years upon such reasonable terms and conditions as may be
11 prescribed by the commissioner [~~of public lands~~]."

12 SECTION 2. Section 19-7-55 NMSA 1978 (being Laws 1929,
13 Chapter 53, Section 2, as amended) is amended to read:

14 "19-7-55. COUNTIES AND SCHOOL DISTRICTS LEASING STATE
15 LANDS--USES--TERM.--

16 A. Any county or school district within the state
17 [~~which~~] that may have use for any state lands for any purpose
18 incidental to the powers of the county or school district shall
19 have the right and power to lease the lands or so much thereof
20 as may be reasonably necessary for such purpose from the
21 commissioner, and upon receipt of a request for such a lease,
22 the commissioner is authorized and empowered to enter into such
23 a lease for a term not exceeding [~~twenty-five~~] forty years upon
24 such reasonable terms and conditions as may be prescribed by
25 the commissioner.

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B. In setting the terms and conditions of any lease to a school district, the commissioner shall, upon the request of the governing body of the school district, provide that the rental costs for the lease be paid from the school district's share of the current school fund established in Article 12, Section 4 of the constitution of New Mexico, or the common school current fund created in Section 19-1-17 NMSA 1978.

C. The necessary documentation to achieve this appropriation shall be submitted to the state treasurer by the commissioner. The appropriation made hereby is a continuing appropriation."

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2020.