

AN ACT
RELATING TO MUNICIPALITIES; PROVIDING FOR MINIMUM
REQUIREMENTS FOR INCORPORATION.

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

Section 1. Section 3-2-2 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-2-2, as amended) is amended to read:

"3-2-2. CHARACTERISTICS OF TERRITORY PROPOSED TO BE INCORPORATED AS A MUNICIPALITY.--

A. Any territory proposed to be incorporated as a municipality shall:

(1) not be within the boundary of another municipality;

(2) have a population density of not less than one person per acre, except for a class B county with net taxable value of property for property tax purposes in 1990 of over ninety-five million dollars (\$95,000,000) and a population of less than ten thousand according to the 1990 federal decennial census and where the population density of the territory proposed to be incorporated is not less than one person per four acres;

(3) contain not less than one hundred fifty persons; and

(4) contain a sufficient assessed value of real property and a sufficient number of businesses so that the proposed municipality will contain a sufficient tax base to enable it to provide a clerk-treasurer, a police officer and office space for the municipal government within one year of incorporation.

B. In the alternative to the requirements of

Paragraph 2 of Subsection A of this section, any territory proposed to be incorporated as a municipality shall:

(1) contain within its boundaries a resort area having more than fifty thousand visitors a year; and

(2) have more than one hundred fifty single-

family residences, as shown by the property tax rolls."