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HOUSE BILL 230

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Rick Miera

ENDORSED BY THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; INCREASING THE ALLOWABLE TAX RATE FOR CAPITAL IMPROVEMENTS AND INCREASING THE DOLLAR MULTIPLIER UNDER THE PUBLIC SCHOOL CAPITAL IMPROVEMENTS ACT.

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

Section 1. Section 22-25-3 NMSA 1978 (being Laws 1975 (S.S.), Chapter 5, Section 3, as amended) is amended to read:

"22-25-3. AUTHORIZATION FOR LOCAL SCHOOL BOARD TO SUBMIT QUESTION OF CAPITAL IMPROVEMENTS TAX IMPOSITION. -- [Any] A local school board may adopt a resolution to submit to the qualified electors of the school district the question of whether a property tax should be imposed upon the net taxable value of property allocated to the school district under the Property Tax Code at a rate not to exceed that specified in the resolution for the purpose of capital improvements in the

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1 school district. The resolution shall:

2 A. identify the capital improvements for which the
3 revenue proposed to be produced will be used;

4 B. specify the rate of the proposed tax, which
5 shall not exceed [~~two dollars (\$2.00)~~] two dollars fifty cents
6 (\$2.50) on each one thousand dollars (\$1,000) of net taxable
7 value of property allocated to the school district under the
8 Property Tax Code;

9 C. specify the date an election will be held to
10 submit the question of imposition of the tax to the qualified
11 electors of the district; and

12 D. limit the imposition of the proposed tax to no
13 more than four property tax years. "

14 Section 2. Section 22-25-9 NMSA 1978 (being Laws 1975
15 (S.S.), Chapter 5, Section 9, as amended by Laws 1988, Chapter
16 64, Section 44 and also by Laws 1988, Chapter 66, Section 2)
17 is amended to read:

18 "22-25-9. STATE DISTRIBUTION TO DISTRICT IMPOSING TAX
19 UNDER CERTAIN CIRCUMSTANCES. --The [~~director~~] state
20 superintendent shall distribute to any school district that
21 has imposed a tax under the Public School Capital Improvements
22 Act an amount from the public school capital improvements fund
23 that is equal to the amount by which the revenue estimated to
24 be received from the imposed tax, at the rate certified by the
25 department of finance and administration in accordance with

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1 Section 22-25-7 NMSA 1978, assuming a one hundred percent
2 collection rate, is less than an amount calculated by
3 multiplying the district's first forty-days' total program
4 units times [~~thirty-five dollars (\$35.00)~~] fifty dollars
5 (\$50.00) and further multiplying the product obtained by the
6 tax rate approved by the qualified electors in the most recent
7 election on the question of imposing a tax under the Public
8 School Capital Improvements Act. The distribution shall be
9 made each year that the tax is imposed in accordance with
10 Section 22-25-7 NMSA 1978; provided that no state distribution
11 from the public school capital improvements fund may be used
12 for capital improvements to any administration building of a
13 school district. In the event that sufficient funds are not
14 available in the public school capital improvements fund to
15 make the state distribution provided for in this section, the
16 dollar per program unit figure shall be reduced as necessary. "

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 February 17, 1999
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8 Mr. Speaker:
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10 Your EDUCATION COMMITTEE, to whom has been referred
11

12 HOUSE BILL 230
13

14 has had it under consideration and reports same with
15 recommendation that it DO PASS, and thence referred to the
16 TAXATION AND REVENUE COMMITTEE.

17 Respectfully submitted,
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21 _____
22 Rick Miera, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 9 For 4 Against

Yes: 9

No: Blanton, Burpo, Dana, Macko

Excused: Hamilton, Knauer, Marquardt

Absent: None

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