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AN ACT

RELATING TO COUNTIES; ADJUSTING THE SALARY CAPS APPLICABLE TO ELECTED COUNTY OFFICIALS; ELIMINATING THE CLASS "C" COUNTY CLASSIFICATION; REPEALING SECTION 4-44-6 NMSA 1978 (BEING LAWS 1957, CHAPTER 196, SECTION 4, AS AMENDED).

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

SECTION 1. Section 4-44-1 NMSA 1978 (being Laws 1957, Chapter 196, Section 1, as amended) is amended to read:

"4-44-1. CLASSIFICATION FOR SALARY PURPOSES.--

A. For the purpose of fixing salaries of county officers, the several counties of the state, except "H" class counties, are classified as follows:

(1) those having a final, full assessed valuation of over seventy-five million dollars (\$75,000,000) and a population of one hundred thousand persons or more as determined by the most current annual population data or estimate available from the United States census bureau, as class "A" counties; and

(2) those having a final, full assessed valuation of over seventy-five million dollars (\$75,000,000) and a population of less than one hundred thousand persons as determined by the most current annual population data or estimate available from the United States census bureau, as class "B" counties.

1 B. The assessed valuation for each year is the
2 full valuation as finally fixed for that year."

3 **SECTION 2.** Section 4-44-4 NMSA 1978 (being Laws 1957,
4 Chapter 196, Section 2, as amended) is amended to read:

5 "4-44-4. CLASS A COUNTIES--SALARIES.--The annual
6 salaries of elected officers of a class A county shall not
7 exceed, for:

8 A. county commissioners, thirty-nine thousand one
9 hundred six dollars (\$39,106) each;

10 B. treasurer, eighty-six thousand six hundred
11 twenty-six dollars (\$86,626);

12 C. assessor, eighty-six thousand six hundred
13 twenty-six dollars (\$86,626);

14 D. sheriff, ninety thousand three hundred thirty-
15 eight dollars (\$90,338);

16 E. county clerk, eighty-six thousand six hundred
17 twenty-six dollars (\$86,626); and

18 F. probate judge, thirty-eight thousand one
19 hundred fourteen dollars (\$38,114)."

20 **SECTION 3.** Section 4-44-4.1 NMSA 1978 (being Laws 1986,
21 Chapter 67, Section 2, as amended) is amended to read:

22 "4-44-4.1. CLASS B COUNTIES--HIGH
23 VALUATION--SALARIES.--The annual salaries of elected officers
24 of a class B county with an assessed valuation of over three
25 hundred million dollars (\$300,000,000) shall not exceed, for:

1 A. county commissioners, thirty thousand one
2 hundred ninety-six dollars (\$30,196) each;

3 B. treasurer, seventy-five thousand seven hundred
4 thirty-three dollars (\$75,733);

5 C. assessor, seventy-five thousand seven hundred
6 thirty-three dollars (\$75,733);

7 D. sheriff, seventy-eight thousand nine hundred
8 fifty-two dollars (\$78,952);

9 E. county clerk, seventy-five thousand seven
10 hundred thirty-three dollars (\$75,733); and

11 F. probate judge, twenty-six thousand four hundred
12 eighty-two dollars (\$26,482)."

13 **SECTION 4.** Section 4-44-5 NMSA 1978 (being Laws 1957,
14 Chapter 196, Section 3, as amended) is amended to read:

15 "4-44-5. CLASS B COUNTIES--INTERMEDIATE VALUATION--
16 SALARIES.--The annual salaries of elected officers of a class
17 B county with an assessed valuation of over seventy-five
18 million dollars (\$75,000,000) but under three hundred million
19 dollars (\$300,000,000) shall not exceed, for:

20 A. county commissioners, twenty-one thousand five
21 hundred thirty-four dollars (\$21,534) each;

22 B. treasurer, sixty-four thousand eight hundred
23 forty-four dollars (\$64,844);

24 C. assessor, sixty-four thousand eight hundred
25 forty-four dollars (\$64,844);

1 D. sheriff, sixty-seven thousand eight hundred
2 fourteen dollars (\$67,814);

3 E. county clerk, sixty-four thousand eight hundred
4 forty-four dollars (\$64,844); and

5 F. probate judge, fifteen thousand ninety-eight
6 dollars (\$15,098)."

7 **SECTION 5.** Section 4-44-12.3 NMSA 1978 (being Laws
8 1991, Chapter 91, Section 1, as amended) is amended to read:

9 "4-44-12.3. LEGISLATIVE INTENT--UNIFORM SALARY
10 CHANGES.--

11 A. The intent of the legislature when increasing
12 the maximum salaries of elected county officials is to
13 provide for equitable salary increases.

14 B. The majority of a board of county commissioners
15 may provide for salary increases for elected county
16 officials; however, a salary increase shall not take effect
17 until the first day of the term of an elected county official
18 who takes office after the date that salary increase is
19 approved."

20 **SECTION 6.** Section 4-44-14 NMSA 1978 (being Laws 1955,
21 Chapter 4, Section 2, as amended) is amended to read:

22 "4-44-14. H CLASS COUNTIES--SALARIES.--

23 A. The annual salaries of elected or appointed
24 part-time officers of an H class county shall not exceed,
25 for:

1 (1) county commissioners, fifteen thousand
2 eight hundred forty-four dollars (\$15,844) each;

3 (2) treasurer, seven thousand nine hundred
4 twenty-two dollars (\$7,922);

5 (3) assessor, seven thousand nine hundred
6 twenty-two dollars (\$7,922);

7 (4) sheriff, seven thousand nine hundred
8 twenty-two dollars (\$7,922);

9 (5) county clerk, seven thousand nine
10 hundred twenty-two dollars (\$7,922); and

11 (6) probate judge, four thousand six hundred
12 thirty-six dollars (\$4,636).

13 B. The annual salaries of elected or appointed
14 full-time officers of an H class county shall not exceed,
15 for:

16 (1) treasurer, seventy-five thousand seven
17 hundred thirty-three dollars (\$75,733);

18 (2) assessor, seventy-five thousand seven
19 hundred thirty-three dollars (\$75,733);

20 (3) sheriff, seventy-eight thousand nine
21 hundred fifty-two dollars (\$78,952); and

22 (4) county clerk, seventy-five thousand
23 seven hundred thirty-three dollars (\$75,733).

24 C. The governing body of an H class county shall
25 designate whether each of the offices of treasurer, assessor,

1 sheriff and county clerk is part time or full time; however,
2 a change in that designation shall not take effect until the
3 first day of the term of an elected county official who takes
4 office after the change in designation is approved.

5 SECTION 7. REPEAL.--Section 4-44-6 NMSA 1978 (being
6 Laws 1957, Chapter 196, Section 4, as amended) is repealed. HB 69
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