AN ACT

RELATING TO JUDICIAL DISTRICTS; REDISTRICTING THE FIRST, ELEVENTH AND THIRTEENTH JUDICIAL DISTRICTS; PROVIDING FOR TWO DISTRICT ATTORNEY DIVISIONS IN A CERTAIN DISTRICT; PROVIDING FOR THE TRANSFER OF PERSONNEL, APPROPRIATIONS AND PROPERTY.

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

Section 1. Section 34-6-1 NMSA 1978 (being Laws 1941, Chapter 75, Section 1, as amended) is amended to read:

"34-6-1. JUDICIAL DISTRICTS.--The state shall be divided into judicial districts as follows:

A. first judicial district, the counties of Santa Fe, Rio Arriba, [and] Los Alamos and Sandoval;

B. second judicial district, the county of Bernalillo;

C. third judicial district, the county of Dona Ana;

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1   D.   fourth judicial district, the counties of

2   Guadalupe, San Miguel and Mora;

3   E.   fifth judicial district, the counties of Eddy,

4   Chaves and Lea;

5   F.   sixth judicial district, the counties of Grant,

6   Luna and Hidalgo;

7   G.   seventh judicial district, the counties of

8   Socorro, Torrance, Sierra and Catron;

9   H.   eighth judicial district, the counties of Taos,

10   Colfax and Union;

11   I.   ninth judicial district, the counties of Curry

12   and Roosevelt;

13   J.   tenth judicial district, the counties of Quay,

14   De Baca and Harding;

15   K.   eleventh judicial district, the [counties]

16   county of [McKinley and] San Juan;

17   L.   twelfth judicial district, the counties of Otero

18   and Lincoln; and

19   M.   thirteenth judicial district, the counties of

20   Cibola, [Sandoval] McKinley and Valencia."

21   Section 2.   Section 34-6-4 NMSA 1978 (being Laws 1968,

22   Chapter 69, Section 7, as amended) is amended to read:

23   "34-6-4.   JUDGES--FIRST JUDICIAL DISTRICT.--There shall be

24   [seven] nine district judges in the first judicial district.

25   Two of the judges shall reside and maintain their principal

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1   offices in Sandoval county."

2   Section 3.   Section 34-6-14 NMSA 1978 (being Laws 1968,

3   Chapter 69, Section 17, as amended by Laws 1995, Chapter 178,

4   Section 3 and also by Laws 1995, Chapter 179, Section 1) is

5   amended to read:

6   "34-6-14.   JUDGES--ELEVENTH JUDICIAL DISTRICT.--There

7   shall be [six] four district judges in the eleventh judicial

8   district.   [The judges of divisions one, three, four and six

9   shall reside and maintain their principal offices in San Juan

10   county.   The judges of divisions two and five shall reside and

11   maintain their principal offices in McKinley county.]"

12   Section 4.   Section 34-6-16 NMSA 1978 (being Laws 1971,

13   Chapter 52, Section 3, as amended) is amended to read:

14   "34-6-16.   JUDGES--THIRTEENTH JUDICIAL DISTRICT.--There

15   shall be five district judges in the thirteenth judicial

16   district.   The judges of divisions one and three shall reside

17   and maintain their principal offices in Valencia county.   The

18   judges of divisions two and five shall reside and maintain

19   their principal offices in [Sandoval] McKinley county.   The

20   judge of division four shall reside and maintain his principal

21   office in Cibola county."

22   Section 5.   [NEW MATERIAL] THIRTEENTH JUDICIAL DISTRICT--

23   TWO DISTRICT ATTORNEY DIVISIONS.--

24   A.   The thirteenth judicial district is divided into

25   two separate district attorney divisions, which shall

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1   constitute two separate election divisions as follows:

2   (1)   district attorney division 1, to be

3   composed of Cibola and Valencia counties; and

4   (2)   district attorney division 2, to be

5   composed of McKinley county.

6   B.   The district attorney in division 1 shall be

7   elected by the registered qualified electors of Cibola and

8   Valencia counties and the district attorney in division 2 shall

9   be elected by the registered qualified electors in McKinley

10   county.   Each district attorney shall have all the duties and

11   powers vested in a district attorney.

12   C.   Within legislative appropriations, the district

13   attorney in each judicial division may appoint necessary

14   assistant district attorneys and other personnel and assign

15   their duties.

16   Section 6.   TEMPORARY PROVISION--TRANSFER.--On July 1,

17   2003:

18   A.   all personnel, appropriations, money, records,

19   property, equipment and supplies of divisions two and five of

20   the thirteenth judicial district, as that district was composed

21   on June 30, 2003, shall be transferred to the divisions of the

22   first judicial district that will be officed in Sandoval

23   county.   All contracts, agreements and docketed cases relating

24   to the activities of the personnel and records transferred

25   pursuant to the provisions of this subsection shall also be

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1   transferred;

2   B.   all personnel, appropriations, money, records,

3   property, equipment and supplies of divisions two and five of

4   the eleventh judicial district, as that district was composed

5   on June 30, 2003, shall be transferred to divisions two and

6   five of the thirteenth judicial district. All contracts,

7   agreements and docketed cases relating to the activities of the

8   personnel and records transferred pursuant to the provisions of

9   this subsection shall also be transferred;

10   C.   the director of the administrative office of the

11   courts shall specifically identify all personnel and property

12   to be transferred pursuant to the provisions of Subsections A

13   and B of this section;

14   D.   the director of the administrative office of the

15   district attorneys may transfer any personnel, appropriations

16   or other property necessary to further the purposes of this

17   act; and

18   E.   the chief public defender may transfer any

19   personnel, appropriations or other property necessary to

20   further the purposes of this act.

21   Section 7.   TEMPORARY PROVISION--CURRENT ELECTED

22   OFFICIALS.--Until the expiration of the term for which they

23   were elected:

24   A.   the district judges of divisions two and five of

25   the thirteenth judicial district as that district was composed

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1 on June 30, 2003 shall be the district judges of the first

2 judicial district that will be housed in Sandoval county;

3 B. the district judges of divisions two and five of

4 the eleventh judicial district as that district was composed on

5 June 30, 2003 shall be the district judges of divisions two and

6 five of the thirteenth judicial district;

7 C. all other district judges shall remain as judges

8 in the district in which they were elected;

9 D. the district attorney division 2 of the eleventh

10 judicial district as that district was composed on June 30,

11 2003 shall be the district attorney division 2 of the

12 thirteenth judicial district;

13 E. the district attorney division 1 of the eleventh

14 judicial district as that district was composed on June 30,

15 2003 shall be the district attorney of the eleventh judicial

16 district;

17 F. the district attorney of the thirteenth judicial

18 district as that district was composed on June 30, 2003 shall

19 be the district attorney division 1 of the thirteenth judicial

20 district; and

21 G. all other district attorneys shall remain as

22 district attorneys in the district in which they were elected.

23 Section 8. REPEAL.--Sections 36-1-8.2 through 36-1-8.4

24 NMSA 1978 (being Laws 1981, Chapter 25, Sections 1 through 3,

25 as amended) are repealed.

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1   Section 9.   EFFECTIVE DATE.--The effective date of the

2 provisions of this act is July 1, 2003.

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