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FISCAL IMPACT REPORT

SPONSOR Miera DATE TYPED 1/25/05 HB 134

SHORT TITLE Election of County Assessors SB _____

ANALYST Medina

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to county assessors (Chapter 4, Articles 38 and 39 NMSA 1978)
Partially Duplicates Section 4-39-6(C) NMSA 1978

SOURCES OF INFORMATION

LFC Files
NMSA 1978
Denise Lamb, former Bureau of Elections Director
Secretary of State

Response Received From
Secretary of State (SOS)

SUMMARY

Synopsis of Bill

House Bill 134 provides for the election of a county assessor for each county in the state. Pursuant to Section 4-39-1 NMSA 1978 (being Laws 1993, Chapter 119, Section 2), the statute providing for the election of a county assessor as enacted by Laws 1884, Chapter 63, Section 1 was repealed. This bill also clarifies that the duties, powers and compensation shall be prescribed by law.

Significant Issues

Although the provision calling for the election of county assessors, Section 4-39-1 NMSA 1978, was repealed in 1993, that same year the statute was amended with Section 4-39-6(C) NMSA 1978 which reads:

“In those counties that, prior to 1992, have not had four-year terms for elected officials, the assessor, sheriff and probate judge shall be elected to four-year terms and the treasurer and clerk shall be elected to two-year terms in the 1994 general election; thereafter, all elected officials shall be elected for terms of four years. The terms of the assessor, sheriff and probate judge shall expire in the same year, and the terms of the treasurer and clerk shall expire in the same year.”

Thus, Section 4-39-6(C) carries the provision for the election of county assessors. The original provision for the election of county assessors was repealed and replaced with the above section in order to provide for staggered terms among county elected officials.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

This bill serves to clarify that the duties, powers, and compensation of the county assessor. However, with respect to the election of county assessors, the provision in this bill is not necessary as it duplicates existing statute (Section 4-39-6(C) NMSA 1978).

DXM/yr