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SENATE BILL 341

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO COURTS; ELIMINATING A MAGISTRATE JUDGE POSITION IN
THE LEA MAGISTRATE DISTRICT; DECLARING AN EMERGENCY.

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

Section 1. Section 35-1-16 NMSA 1978 (being Laws 1968,
Chapter 62, Section 18, as amended) is amended to read:

"35-1-16. MAGISTRATE COURT--LEA DISTRICT.--

A. Until January 1, 2007, there shall be five
magistrates in Lea magistrate district, division 1 in
Lovington, divisions 2 and 5 operating as a single court in
Hobbs, division 3 in Eunice and division 4 in Tatum. The
division 3 magistrate shall ride circuit to Jal on a regularly
scheduled basis and shall ride circuit to Hobbs as needed.

B. On January 1, 2007, there shall be four
magistrates in the Lea magistrate district, division 4 in

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1 Lovington, divisions 1 and 2 operating as a single court in
2 Hobbs and division 3 in Eunice. The division 4 magistrate
3 shall ride circuit to Tatum on a regularly scheduled basis.
4 The division 3 magistrate shall ride circuit to Jal on a
5 regularly scheduled basis and shall ride circuit to Hobbs as
6 needed.

7 C. Magistrate judges shall not be elected at-large
8 from the district, but shall be elected by the voters of the
9 division for which the magistrate sits. Magistrate judges
10 shall reside in their divisions, but shall have district-wide
11 jurisdiction. For the 2006 and subsequent elections, the
12 composition of the divisions for elections and residence
13 purposes is as follows:

14 (1) division 1 is composed of Lea county
15 precincts 23 through 30, 32 and 41 through 43;

16 (2) division 2 is composed of Lea county
17 precincts 33 through 35, 44, 51 through 55 and 61;

18 (3) division 3 is composed of Lea county
19 precincts 20, 22, 31, 36, 62 and 71 through 74; and

20 (4) division 4 is composed of Lea county
21 precincts 2, 3, 10 through 18 and 21."

22 Section 2. TEMPORARY PROVISION--COURT CLOSURES--CLERK
23 POSITIONS--OTHER RESOURCES.--The magistrate court clerk
24 positions assigned to the magistrate courts shall not be
25 decreased as a result of this act, but the administrative

.160268.2

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1 office of the courts shall reassign positions from the
2 abolished court to other magistrate courts. The administrative
3 office of the courts shall reassign other resources, including
4 furniture, equipment and supplies, to other magistrate courts
5 as needed.

6 Section 3. EMERGENCY.--It is necessary for the public
7 peace, health and safety that this act take effect immediately.

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