

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 482

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING A SECTION OF CHAPTER
31 NMSA 1978 TO RAISE COSTS TO DEFENDANTS FOR THEIR PROBATION.

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

Section 1. Section 31-20-5.1 NMSA 1978 (being Laws 2000,
Chapter 49, Section 1) is amended to read:

"31-20-5.1. MISDEMEANOR COMPLIANCE PROGRAMS--COUNTIES MAY
ESTABLISH--FEES.--

A. A county may create a "misdemeanor compliance
program" to monitor defendants' compliance with the conditions
of probation imposed by a district or magistrate court. The
program shall be limited to participation by persons who have
been convicted of a misdemeanor criminal offense specified in
the Criminal Code, convicted of driving while under the
influence of intoxicating liquor or drugs or convicted of

.178550.1

underscored material = new
[bracketed material] = delete

1 driving while the person's driver's license is suspended or
2 revoked pursuant to the Motor Vehicle Code. A county's program
3 shall comply with guidelines established by the administrative
4 office of the courts.

5 B. As a condition of probation, the district or
6 magistrate court may require the defendant to pay a fee of not
7 less than fifteen dollars (\$15.00) nor more than [~~thirty~~
8 ~~dollars (\$30.00)~~] fifty dollars (\$50.00) per month to the
9 county for the term of [~~his~~] the defendant's probation. Money
10 collected by the county pursuant to this subsection shall be
11 used only to operate the misdemeanor compliance program."