

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 526

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

INTRODUCED BY

Bernadette M. Sanchez

AN ACT

RELATING TO COURTS; CREATING A FUND; ESTABLISHING A FEE;  
PROVIDING FOR AN ALTERNATIVE JUDICIAL ADJUDICATION OF JUVENILES  
CHARGED WITH MINOR OFFENCES; MAKING AN APPROPRIATION.

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

Section 1. Section 66-8-116.3 NMSA 1978 (being Laws 1989,  
Chapter 318, Section 35, Laws 1989, Chapter 319, Section 14 and  
Laws 1989, Chapter 320, Section 5, as amended) is amended to  
read:

"66-8-116.3. PENALTY ASSESSMENT MISDEMEANORS--ADDITIONAL  
FEES.--In addition to the penalty assessment established for  
each penalty assessment misdemeanor, there shall be assessed:

A. in a county without a metropolitan court, twenty  
dollars (\$20.00) to help defray the costs of local government  
corrections;

.176764.1

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 B. a court automation fee of ten dollars (\$10.00);

2 C. a traffic safety fee of three dollars (\$3.00),

3 which shall be credited to the traffic safety education and  
4 enforcement fund;

5 D. a judicial education fee of two dollars (\$2.00),  
6 which shall be credited to the judicial education fund;

7 E. a juvenile adjudication fee of one dollar  
8 (\$1.00), which shall be credited to the juvenile adjudication  
9 fund;

10 [~~E-~~] F. a brain injury services fee of five dollars  
11 (\$5.00), which shall be credited to the brain injury services  
12 fund; and

13 [~~F-~~] G. a court facilities fee as follows:  
14 in a county with a metropolitan court . . . . . \$24.00;  
15 in any other county . . . . . 10.00."

16 Section 2. A new section of Chapter 34 NMSA 1978 is  
17 enacted to read:

18 "[NEW MATERIAL] JUVENILE ADJUDICATION FUND CREATED.--The  
19 "juvenile adjudication fund" is created in the state treasury  
20 to provide an alternative procedure of adjudication for  
21 juveniles charged with misdemeanor offenses to help alleviate  
22 the docket of the juvenile judicial system. The fund consists  
23 of juvenile adjudication fees levied and collected pursuant to  
24 Section 66-8-116.3 NMSA 1978. Money in the fund at the end of  
25 a fiscal year shall not revert to any other fund. The

.176764.1

underscoring material = new  
~~[bracketed material] = delete~~

1 department of finance and administration shall administer the  
2 fund, and money in the fund is appropriated to the department  
3 of finance and administration to administer the fund and to  
4 provide an alternative adjudication process for juveniles  
5 charged with traffic offenses and other misdemeanors. Money  
6 expended to administer the fund shall not exceed five percent  
7 of the money credited to the fund in each fiscal year.  
8 Disbursements from the fund shall be made by warrant of the  
9 secretary of finance and administration pursuant to vouchers  
10 signed by the secretary or the secretary's authorized  
11 representative."

12 - 3 -  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

.176764.1