

SENATE FINANCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 593

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;  
CLARIFYING QUALIFICATIONS FOR IMPOSING CERTAIN TAXES.

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

SECTION 1. A new section of the Tax Administration Act is  
enacted to read:

"~~[NEW MATERIAL]~~ TAXES IMPOSED BY QUALIFIED POLITICAL  
SUBDIVISIONS--LEGISLATIVE INTENT--CONTINUING QUALIFICATION.--

A. It is the intent of the legislature that once a  
political subdivision authorized by virtue of county  
classification, area, population, net taxable base for rate-  
setting purposes or other criteria to impose a tax does so in  
accordance with applicable law, the political subdivision shall  
not be automatically precluded from continuing to impose or  
reimpose that tax even though it may no longer meet one or more

.193134.3

underscored material = new  
[bracketed material] = delete

1 of the criteria that qualified it to impose the tax in the  
2 first place.

3 B. Once a tax has been imposed by a political  
4 subdivision pursuant to the provisions of Chapter 7 NMSA 1978,  
5 the political subdivision shall not lose its qualifying status  
6 to continue to impose or reimpose that tax based upon any  
7 change in county classification, area, population, net taxable  
8 base for rate-setting purposes or other criteria set forth in  
9 statute; provided that the tax has not been repealed or  
10 terminated."

11 SECTION 2. APPLICABILITY.--The provisions of this act  
12 apply to taxable years beginning on or after January 1, 2011.

13 SECTION 3. EFFECTIVE DATE.--The effective date of the  
14 provisions of this act shall be retroactive to January 1, 2011.