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HOUSE BILL 38

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Nathan "Nate" Cote

AN ACT

RELATING TO TAXATION; PROVIDING FOR AN EXCEPTION TO PROPERTY TAX PAYMENT BEFORE FILING A PLAT FOR REAL PROPERTY DIVIDED OR COMBINED AND TO BE TRANSFERRED TO THE STATE OR ANY OF ITS POLITICAL SUBDIVISIONS; DECLARING AN EMERGENCY.

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

SECTION 1. Section 7-38-44.1 NMSA 1978 (being Laws 2013, Chapter 119, Section 1) is amended to read:

"7-38-44.1. SPECIAL PROCEDURES FOR ADMINISTRATION OF TAXES ON REAL PROPERTY DIVIDED OR COMBINED.--

A. For real property subject to valuation for property taxation purposes in a taxable year that is divided or combined, a county shall proceed to determine the taxes due on the property by using the prior year's tax rate, if the current tax rates have not been set, and the prior year's value, if the

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1 current year value has not been set, and proceed to immediately
2 collect the taxes, penalties, interest and fees through the
3 taxable year in which the property is divided or combined.

4 B. A ~~[taxpayer]~~ property owner shall pay the taxes,
5 penalties, interest and fees due on real property divided or
6 combined through the taxable year in which the property is
7 divided or combined prior to filing a plat. The provisions of
8 this subsection do not apply to a property owner that has
9 entered into a written agreement to transfer the real property
10 to the state or any of its political subdivisions."

11 SECTION 2. EMERGENCY.--It is necessary for the public
12 peace, health and safety that this act take effect immediately.