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AN ACT

RELATING TO COUNTY SHERIFFS; ALLOWING THE HIGHEST-RANKING  
DEPUTY SHERIFF TO EXERCISE THE POWERS OF SHERIFF UNTIL A  
SHERIFF HAS BEEN APPOINTED AND QUALIFIED.

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

SECTION 1. Section 4-41-9 NMSA 1978 (being Laws  
1855-1856, Chapter 2, Section 3, as amended) is amended to  
read:

"4-41-9. POWERS OF DEPUTY SHERIFF.--Deputies are  
authorized to discharge all the duties that belong to the  
office of sheriff that may be placed under their charge by  
their principals, with the same effect as though they were  
executed by the respective sheriffs. If there is a vacancy in  
the office of sheriff, the highest-ranking deputy sheriff  
shall exercise the powers of sheriff until a sheriff or  
under-sheriff, who is qualified to hold the office of sheriff,  
is appointed and qualified."