

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 185

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

This document incorporates amendments that have been adopted during the current legislative session. The document is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO COURTS; CREATING ADDITIONAL JUDGESHIPS IN THE
FIRST, SECOND, THIRD AND TWELFTH JUDICIAL DISTRICTS; REMOVING
RESIDENCY AND OFFICE LOCATION REQUIREMENTS FOR DISTRICT JUDGES
SFC→;←SFC SFC→.←SFC SFC→~~MAKING APPROPRIATIONS.~~←SFC

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

SECTION 1. Section 34-6-4 NMSA 1978 (being Laws 1968,
Chapter 69, Section 7, as amended) is amended to read:

"34-6-4. JUDGES--FIRST JUDICIAL DISTRICT.--There shall be
[~~nine~~] ten district judges in the first judicial district."

.217295.1AIC February 12, 2020 (9:25am)

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SECTION 2. Section 34-6-5 NMSA 1978 (being Laws 1968, Chapter 69, Section 8, as amended) is amended to read:

"34-6-5. JUDGES--SECOND JUDICIAL DISTRICT.--There shall be [~~twenty-seven~~] twenty-nine district judges in the second judicial district."

SECTION 3. Section 34-6-6 NMSA 1978 (being Laws 1968, Chapter 69, Section 9, as amended) is amended to read:

"34-6-6. JUDGES--THIRD JUDICIAL DISTRICT.--There shall be [~~eight~~] nine district judges in the third judicial district."

SECTION 4. Section 34-6-9 NMSA 1978 (being Laws 1968, Chapter 69, Section 12, as amended) is amended to read:

"34-6-9. JUDGES--SIXTH JUDICIAL DISTRICT.--There shall be four district judges in the sixth judicial district. [~~The judge of division 1 shall reside and maintain the judge's principal office in Grant county. The judge of division 4 shall reside and maintain the judge's principal office in Luna county.~~]"

SECTION 5. Section 34-6-11 NMSA 1978 (being Laws 1968, Chapter 69, Section 14, as amended) is amended to read:

"34-6-11. JUDGES--EIGHTH JUDICIAL DISTRICT.--There shall be three district judges in the eighth judicial district. [~~At least one of the judges shall maintain the judge's principal office in Colfax or Union county and at least one of the judges shall maintain the judge's principal office in Taos county.~~]"

SECTION 6. Section 34-6-12 NMSA 1978 (being Laws 1968,

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Chapter 69, Section 15, as amended) is amended to read:

"34-6-12. JUDGES--NINTH JUDICIAL DISTRICT.--There shall be five district judges in the ninth judicial district. [~~At least one of the district judges shall be designated to maintain a principal office in Roosevelt county. As used in this section, "maintain a principal office" means holding court or being available to hold court no less than one hundred forty days during each calendar year.~~]"

SECTION 7. Section 34-6-14 NMSA 1978 (being Laws 1968, Chapter 69, Section 17, as amended) is amended to read:

"34-6-14. JUDGES--ELEVENTH JUDICIAL DISTRICT.--There shall be eight district judges in the eleventh judicial district. [~~The judges of divisions one, three, four, six and eight shall reside and maintain their principal offices in San Juan county. The judges of divisions two, five and seven shall reside and maintain their principal offices in McKinley county.~~]"

SECTION 8. Section 34-6-15 NMSA 1978 (being Laws 1971, Chapter 52, Section 2, as amended) is amended to read:

"34-6-15. JUDGES--TWELFTH JUDICIAL DISTRICT.--There shall be [~~four~~] five district judges in the twelfth judicial district. [~~The judge of division three shall reside and maintain his principal office in Lincoln county.~~]"

SECTION 9. Section 34-6-16 NMSA 1978 (being Laws 1971, Chapter 52, Section 3, as amended) is amended to read:

"34-6-16. JUDGES--THIRTEENTH JUDICIAL DISTRICT.--There shall be eight district judges in the thirteenth judicial district. [~~The judges of divisions one, three and six shall~~

~~reside and maintain their principal offices in Valencia county. The judges of divisions two, five, seven and eight shall reside and maintain their principal offices in Sandoval county. The judge of division four shall reside and maintain the judge's principal offices in Cibola county.]"~~

SECTION 10. TEMPORARY PROVISION--DISTRICT JUDGES-- APPOINTMENTS.--The additional district judgeships provided for in this act shall be filled by appointment by the governor pursuant to Article 6, Section 36 of the constitution of New Mexico.

~~SFC→SECTION 11. APPROPRIATIONS TO THE FIRST, SECOND, THIRD AND TWELFTH JUDICIAL DISTRICT COURTS.--~~

~~A. Three hundred twenty-nine thousand dollars (\$329,000) is appropriated from the general fund to the first judicial district court for expenditure in fiscal year 2021 to pay the costs associated with a new judgeship, including salaries and benefits for the judge and staff, furniture, equipment and supplies. Any unexpended or unencumbered balance remaining at the end of fiscal year 2021 shall revert to the general fund.~~

~~B. Seven hundred three thousand two hundred dollars (\$703,200) is appropriated from the general fund to the second judicial district court for expenditure in fiscal year 2021 to pay the costs associated with new judgeships, including salaries and benefits for the judges and staff, furniture,~~

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~~equipment and supplies. Any unexpended or unencumbered balance remaining at the end of fiscal year 2021 shall revert to the~~ ←SFC SFC→ ~~general fund.~~

~~G. Three hundred eighty-one thousand dollars (\$381,000) is appropriated from the general fund to the third judicial district court for expenditure in fiscal year 2021 to pay the costs associated with a new judgeship, including salaries and benefits for the judge and staff, furniture, equipment and supplies. Any unexpended or unencumbered balance remaining at the end of fiscal year 2021 shall revert to the general fund.~~

~~D. One hundred thirty thousand dollars (\$130,000) is appropriated from the general fund to the twelfth judicial district court for expenditure in fiscal year 2021 to pay the costs associated with a new judgeship, including salaries and benefits for the judge and staff, furniture, equipment and supplies. Any unexpended or unencumbered balance remaining at the end of fiscal year 2021 shall revert to the general fund.~~ ←SFC