

1 HOUSE BILL 410

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Randall T. Pettigrew and Stuart Ingle and Patricia A. Lundstrom
5 and James G. Townsend and Candy Spence Ezzell
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10 AN ACT

11 RELATING TO COUNTIES; INCREASING THE SALARY CAPS APPLICABLE TO
12 ELECTED COUNTY OFFICIALS; PROVIDING FOR A CONSUMER PRICE INDEX
13 ESCALATOR.
14

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

16 SECTION 1. Section 4-44-4 NMSA 1978 (being Laws 1957,
17 Chapter 196, Section 2, as amended) is amended to read:

18 "4-44-4. CLASS A COUNTIES--SALARIES.--Except as provided
19 in Section 5 of this 2023 act, the annual salaries of elected
20 officers of a class A county shall not exceed, for:

21 A. county commissioners, [~~thirty-nine thousand one~~
22 ~~hundred six dollars (\$39,106)~~] forty-four thousand eight
23 hundred ninety-five dollars (\$44,895) each;

24 B. treasurer, [~~eighty-six thousand six hundred~~
25 ~~twenty-six dollars (\$86,626)~~] one hundred six thousand ninety-

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1 five dollars (\$106,095);

2 C. assessor, [~~eighty-six thousand six hundred~~
3 ~~twenty-six dollars (\$86,626)~~] one hundred six thousand ninety-
4 five dollars (\$106,095);

5 D. sheriff, [~~ninety thousand three hundred thirty-~~
6 ~~eight dollars (\$90,338)~~] one hundred ten thousand six hundred
7 forty-one dollars (\$110,641);

8 E. county clerk, [~~eighty-six thousand six hundred~~
9 ~~twenty-six dollars (\$86,626)~~] one hundred six thousand ninety-
10 five dollars (\$106,095); and

11 F. probate judge, [~~thirty-eight thousand one~~
12 ~~hundred fourteen dollars (\$38,114)~~] forty-six thousand six
13 hundred eighty dollars (\$46,680)."

14 SECTION 2. Section 4-44-4.1 NMSA 1978 (being Laws 1986,
15 Chapter 67, Section 2, as amended) is amended to read:

16 "4-44-4.1. CLASS B COUNTIES--HIGH VALUATION--SALARIES.--
17 Except as provided in Section 5 of this 2023 act, the annual
18 salaries of elected officers of a class B county with an
19 assessed valuation of over three hundred million dollars
20 (\$300,000,000) shall not exceed, for:

21 A. county commissioners, [~~thirty thousand one~~
22 ~~hundred ninety-six dollars (\$30,196)~~] thirty-six thousand nine
23 hundred eighty-two dollars (\$36,982) each;

24 B. treasurer, [~~seventy-five thousand seven hundred~~
25 ~~thirty-three dollars (\$75,733)~~] ninety-two thousand seven

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1 hundred fifty-four dollars (\$92,754);

2 C. assessor, [~~seventy-five thousand seven hundred~~
3 ~~thirty-three dollars (\$75,733)] ninety-two thousand seven
4 hundred fifty-four dollars (\$92,754);~~

5 D. sheriff, [~~seventy-eight thousand nine hundred~~
6 ~~fifty-two dollars (\$78,952)] ninety-six thousand six hundred
7 ninety-six dollars (\$96,696);~~

8 E. county clerk, [~~seventy-five thousand seven~~
9 ~~hundred thirty-three dollars (\$75,733)] ninety-two thousand
10 seven hundred fifty-four dollars (\$92,754); and~~

11 F. probate judge, [~~twenty-six thousand four hundred~~
12 ~~eighty-two dollars (\$26,482)] thirty-two thousand four hundred
13 thirty-three dollars (\$32,433)."~~

14 SECTION 3. Section 4-44-5 NMSA 1978 (being Laws 1957,
15 Chapter 196, Section 3, as amended) is amended to read:

16 "4-44-5. CLASS B COUNTIES--INTERMEDIATE VALUATION--
17 SALARIES.--Except as provided in Section 5 of this 2023 act,
18 the annual salaries of elected officers of a class B county
19 with an assessed valuation of over seventy-five million dollars
20 (\$75,000,000) but under three hundred million dollars
21 (\$300,000,000) shall not exceed, for:

22 A. county commissioners, [~~twenty-one thousand five~~
23 ~~hundred thirty-four dollars (\$21,534)] twenty-six thousand
24 three hundred seventy-three dollars (\$26,373) each;~~

25 B. treasurer, [~~sixty-four thousand eight hundred~~

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1 ~~forty-four dollars (\$64,844)]~~ seventy-nine thousand four
2 hundred eighteen dollars (\$79,418);

3 C. assessor, [~~sixty-four thousand eight hundred~~
4 ~~forty-four dollars (\$64,844)]~~ seventy-nine thousand four
5 hundred eighteen dollars (\$79,418);

6 D. sheriff, [~~sixty-seven thousand eight hundred~~
7 ~~fourteen dollars (\$67,814)]~~ eighty-three thousand fifty-five
8 dollars (\$83,055);

9 E. county clerk, [~~sixty-four thousand eight hundred~~
10 ~~forty-four dollars (\$64,844)]~~ seventy-nine thousand four
11 hundred eighteen dollars (\$79,418); and

12 F. probate judge, [~~fifteen thousand ninety-eight~~
13 ~~dollars (\$15,098)]~~ eighteen thousand four hundred ninety-one
14 dollars (\$18,491)."

15 SECTION 4. Section 4-44-14 NMSA 1978 (being Laws 1955,
16 Chapter 4, Section 2, as amended) is amended to read:

17 "4-44-14. H CLASS COUNTIES--SALARIES.--

18 A. Except as provided in Section 5 of this 2023
19 act, the annual salaries of elected or appointed part-time
20 officers of an H class county shall not exceed, for:

21 (1) county commissioners, [~~fifteen thousand~~
22 ~~eight hundred forty-four dollars (\$15,844)]~~ nineteen thousand
23 four hundred five dollars (\$19,405) each;

24 (2) treasurer, [~~seven thousand nine hundred~~
25 ~~twenty-two dollars (\$7,922)]~~ nine thousand seven hundred two

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1 dollars (\$9,702);

2 (3) assessor, [~~seven thousand nine hundred~~
3 ~~twenty-two dollars (\$7,922)] nine thousand seven hundred two
4 dollars (\$9,702);~~

5 (4) sheriff, [~~seven thousand nine hundred~~
6 ~~twenty-two dollars (\$7,922)] nine thousand seven hundred two
7 dollars (\$9,702);~~

8 (5) county clerk, [~~seven thousand nine hundred~~
9 ~~twenty-two dollars (\$7,922)] nine thousand seven hundred two
10 dollars (\$9,702); and~~

11 (6) probate judge, [~~four thousand six hundred~~
12 ~~thirty-six dollars (\$4,636)] five thousand six hundred seventy-
13 eight dollars (\$5,678).~~

14 B. Except as provided in Section 5 of this 2023
15 act, the annual salaries of elected or appointed full-time
16 officers of an H class county shall not exceed, for:

17 (1) treasurer, [~~seventy-five thousand seven~~
18 ~~hundred thirty-three dollars (\$75,733)] ninety-two thousand
19 seven hundred fifty-four dollars (\$92,754);~~

20 (2) assessor, [~~seventy-five thousand seven~~
21 ~~hundred thirty-three dollars (\$75,733)] ninety-two thousand
22 seven hundred fifty-four dollars (\$92,754);~~

23 (3) sheriff, [~~seventy-eight thousand nine~~
24 ~~hundred fifty-two dollars (\$78,952)] ninety-six thousand six
25 hundred ninety-six dollars (\$96,696); and~~

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1 the department of finance and administration shall provide
2 assistance to counties in the calculation of the consumer price
3 index.

4 C. As used in this section, "consumer price index"
5 means the consumer price index, not seasonally adjusted, for
6 all urban consumers, United States city average for all items
7 or its successor index, as published by the United States
8 department of labor for a calendar year."

9 SECTION 6. APPLICABILITY.--An increase in a permitted
10 maximum salary provided by the provisions of this 2023 act
11 shall not take effect until the first day of the term of an
12 elected or appointed county official who takes office after the
13 effective date of this act.