

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 70

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

AN ACT

RELATING TO JUDICIAL SALARIES; PROVIDING THAT JUSTICES OF THE STATE SUPREME COURT SHALL RECEIVE A SALARY INCREASE; PROVIDING THAT AN ANNUAL PAY INCREASE BE AT THE ANNUAL RATE OF INFLATION; REMOVING SALARY FORMULAS FOR MAGISTRATES; MAKING AN APPROPRIATION.

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

SECTION 1. Section 34-1-9 NMSA 1978 (being Laws 1993, Chapter 278, Section 1, as amended) is amended to read:

"34-1-9. SALARIES OF JUSTICES, JUDGES AND MAGISTRATES.--

A. Justices of the supreme court shall each receive an annual salary ~~[as provided by the legislature]~~ of two hundred thirty-two thousand six hundred dollars (\$232,600) beginning July 1, 2024, and salaries thereafter shall increase annually at the rate of inflation as measured by the consumer

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1 price index. The chief justice of the supreme court shall
2 receive an annual salary that is two thousand dollars (\$2,000)
3 more than the annual salary of a justice of the supreme court.

4 B. The chief judge of:

5 (1) the court of appeals shall receive an
6 annual salary that is ninety-five percent of the annual salary
7 of the chief justice of the supreme court;

8 (2) a district court shall receive an annual
9 salary that is ninety-five percent of the annual salary of the
10 chief judge of the court of appeals; and

11 (3) a metropolitan court shall receive an
12 annual salary that is ninety-five percent of the annual salary
13 of the chief judge of a district court.

14 ~~[C. The presiding magistrate of a magistrate~~
15 ~~district where three or more divisions operate as a single~~
16 ~~court shall receive an annual salary that is seventy-five~~
17 ~~percent of the annual salary of the chief judge of a~~
18 ~~metropolitan court.~~

19 D.] C. Notwithstanding any other provision of law
20 or any other provision of this section, the annual salaries of
21 the following judges [~~and magistrates~~] shall be established as
22 follows:

23 (1) a judge of the court of appeals shall
24 receive an annual salary that is ninety-five percent of the
25 annual salary of a justice of the supreme court;

1 (2) a district court judge shall receive an
2 annual salary that is ninety-five percent of the annual salary
3 of a judge of the court of appeals; and

4 (3) a metropolitan court judge shall receive
5 an annual salary that is ninety-five percent of the annual
6 salary of a district court judge.

7 ~~[(4) a full-time magistrate shall receive an~~
8 ~~annual salary that is seventy-five percent of the annual salary~~
9 ~~of a metropolitan court judge;~~

10 ~~(5) a half-time magistrate shall receive an~~
11 ~~annual salary that is fifty percent of the annual salary of a~~
12 ~~full-time magistrate; and~~

13 ~~(6) a quarter-time magistrate shall receive an~~
14 ~~annual salary that is twenty-five percent of the annual salary~~
15 ~~of a full-time magistrate.~~

16 E.] D. For fiscal year 1995 and all subsequent
17 fiscal years, the annual salary for justices of the supreme
18 court, judges of the court of appeals, district court judges,
19 metropolitan court judges and magistrates shall be
20 ~~[established]~~ provided by the legislature in an appropriations
21 act.

22 ~~[F.]~~ E. No additional salaries shall be paid to
23 justices, judges or magistrates on account of services rendered
24 the state. Justices of the supreme court, judges of the court
25 of appeals, district court judges, metropolitan court judges

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1 and magistrates shall receive per diem and mileage for
2 necessary travel on official business of the court as provided
3 in the Per Diem and Mileage Act."

4 SECTION 2. APPROPRIATION.--Six million forty-eight
5 thousand six hundred eighty-four dollars (\$6,048,684) is
6 appropriated from the general fund to the administrative office
7 of the courts for expenditure in fiscal year 2025 and
8 subsequent fiscal years to fund judicial salaries. Any
9 unexpended or unencumbered balance remaining at the end of a
10 fiscal year shall not revert to the general fund.

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