

1 AN ACT
2 RELATING TO MAGISTRATE COURT; PROVIDING FOR A MINIMUM AGE OF
3 TWENTY-EIGHT FOR MAGISTRATE JUDGES.
4

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

6 SECTION 1. Section 35-2-1 NMSA 1978 (being Laws 1968,
7 Chapter 62, Section 41, as amended) is amended to read:

8 "35-2-1. QUALIFICATION--PERSONAL QUALIFICATIONS.--

9 A. Each magistrate shall not be less than twenty-
10 eight years of age at the time of the election and shall be a
11 qualified elector of, and reside in, the magistrate district
12 for which the magistrate is elected or appointed.

13 B. No person is eligible for election or
14 appointment to the office of magistrate unless the person has
15 graduated from high school or has attained the equivalent of
16 a high school education as indicated by possession of a high
17 school equivalency credential issued by the public education
18 department based upon the record made on the high school
19 equivalency credential test.

20 C. In magistrate districts with a population of
21 more than two hundred thousand persons in the last federal
22 decennial census, no person is eligible for election to the
23 office of magistrate unless the person:

24 (1) is a member of the bar of this state and
25 licensed to practice law in this state; or

1 (2) holds the office of magistrate in that
2 district when the federal decennial census is published, as
3 long as there is no break in service.

4 D. In magistrate districts with a population of
5 more than two hundred thousand persons in the last federal
6 decennial census, no person is eligible for appointment to
7 the office of magistrate unless the person is a member of the
8 bar of this state and licensed to practice law in this state.

9 E. A person holding the office of magistrate shall
10 not engage in the private practice of law during tenure in
11 office."
