

LFC Requester:	Jacobs, Henry
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AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

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(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 2/1/26 *Check all that apply:*
Bill Number: SM13 Original Correction
 Amendment Substitute

Sponsor: Sen. Jaramillo **Agency Name and Code:** AOC
Short Title: Study Restructuring Las Vegas **Number:** 218
Title: Land Grant **Person Writing:** Celina Jones
Phone: 505-470-3214 **Email:** aoccaj@nmcourts.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	Rec.	General

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
Unknown	Unknown	Unknown	Rec.	General

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	Unknown	Unknown	Unknown	Unknown	Rec.	General

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Duplicates HM 24.

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: SM 13 notes that the Las Vegas land grant is uniquely situated as the only land grant in the state that is managed, controlled and administered by a District Court, with the provisions directing the District Court of San Miguel County to manage and appoint the board of trustees for the Las Vegas land grant currently codified in Chapter 49, Article 6 NMSA 1978. SM 13 also notes that these provisions vest jurisdiction with the District Court of San Miguel County to manage, control and administer the Las Vegas land grant and direct the court to appoint the board of trustees, oversee the board and promulgate rules for the board to manage the land grant and conduct business. However, given the historically fraught nature of this situation, further study is needed to evaluate and consider the potential consequences that could result from making these changes to New Mexico law.

SM 13, therefore, requests that the Guadalupe Hidalgo Treaty Division of the Department of Justice (DOJ) and the Land Grant Council be requested to study the potential consequences that could ensue from changes to Chapter 49, Article 6 NMSA 1978 divesting management and appointment authority from the Fourth Judicial District Court and restructuring the governance of the Las Vegas land grant.

SM 13 further requests that the DOJ and the Land Grant Council be requested to report findings and conclusions to the appropriate legislative committees that address issues impacting land grants and rural communities by December 1, 2026.

Copies of the memorial are to be transmitted to the director of the Guadalupe Hidalgo Treaty Division of the DOJ, the chair of the Land Grant Council, the president of the Board of Trustees of the Las Vegas Land Grant and the chief judge of the Fourth Judicial District Court.

FISCAL IMPLICATIONS

There will be a minimal administrative cost for transmittal of the memorial to the proposed task force participants. Any additional fiscal impact on the judiciary would be related to the participation of AOC personnel in the study.

SIGNIFICANT ISSUES

1) The Guadalupe Hidalgo Treaty Division, created in state statute in 2003, is charged with “reviewing, overseeing and addressing concerns relating to the provisions of the Treaty of Guadalupe Hidalgo that have not been implemented or observed in the spirit of Article 2, Section 5 of the constitution of New Mexico”. Section 8-5-18 NMSA 1978. See [Land Grants-Mercedes and Acequias](#), NM Department of Justice.

Of the grants listed in Chapter 49 NMSA 1978, the Las Vegas Land Grant is the only one that is managed, controlled and administered by a District Court, rather than an elected board of trustees or a political subdivision structure.

J.J. Bowden noted in *Private Land Claims in the Southwest* that on December 17, 1898, the claimants of the Town of Las Vegas Grant

... asked that a patent be issued to the town for all of the lands included in said grant as surveyed in 1860. The heirs and assignees of the original grantees also requested a patent. The Department of Interior, after reconsidering the merits the requests, revoked its previous decisions and held that the Taming and Maxwell cases clearly established the proposition that the grant was confirmed by Congress for the full amount of land embraced within the boundaries set forth in the petition which had been filed in the Surveyor General's Office in 1855. In conclusion, the decision directed the Commissioner of the General Land Office to issue a patent to the town of Las Vegas since the confirmation was made in favor of the town. The heirs and assigns of the original grantees filed suit in the Federal Court for the District of Columbia to enjoin the issuance of the patent to the town of Las Vegas. They contended that a patent could not be issued to the town of Las Vegas since it had no legal or corporate capacity to hold the grant. The court dismissed the action and the plaintiffs appealed. The Supreme Court of the United States affirmed the lower court's action. To overcome the objections raised by this suit the New Mexico legislature passed an act vesting the management, control and administration of the grant in the District Court of San Miguel County. Thus, the Town of Las Vegas Grant is unique in that it is the only grant under the direct management of the courts. A patent was issued to the Town of Las Vegas for 431,653.65 acres on June 27, 1903. In addition to the land, the inhabitants received a priority to the use of the waters from the Gallinas River under the doctrine of "Pueblo Rights."

See [*Selections from J.J. Bowden's "Private Land Claims in the Southwest"*](#), New Mexico Land Grant Council, 2018, and related footnotes.

Unlike with other land grants, the District Court of San Miguel County is granted the authority, by Section 49-6-2 NMSA 1978, to appoint a board of trustees to have control and management of the land grant. Section 49-6-5 NMSA 1978 requires the District Court to exercise the same control over the board of trustees, and over the acts and doings of the board of trustees, that courts of equity exercise over receivers appointed by them and over the acts and doings of their receivers. See Section 44-8-1 NMSA 1978 et. seq, the Receivership Act.

PERFORMANCE IMPLICATIONS

The courts are participating in performance-based budgeting. It does not appear that this bill will have an impact on the following measures of the district courts:

- Cases disposed of as a percent of cases filed
- Percent change in case filings by case type

ADMINISTRATIVE IMPLICATIONS

See "Fiscal Implications," above.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Duplicates HM 24.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS