.115038.1

1	HOUSE BILL 371
2	43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997
3	I NTRODUCED BY
4	JOHN A. HEATON
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10	AN ACT
11	RELATING TO CORRECTIONAL INSTITUTIONS; AMENDING SECTION 33-3-11
12	NMSA 1978 (BEING LAWS 1889, CHAPTER 9, SECTION 1, AS AMENDED) TO
13	CHANGE THE RATE AT WHICH MONETARY REDUCTIONS IN FINES OR COSTS
14	ARE COMPUTED.
15 16	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
17	Section 1. Section 33-3-11 NMSA 1978 (being Laws 1889,
18	Chapter 9, Section 1, as amended) is amended to read:
19	"33-3-11. JAIL FOR NONPAYMENT OF FINE
20	A. Whenever any person is committed to prison for
21	nonpayment of any fine or costs or both, he shall be credited
22	with [five dollars (\$5.00) a day in] <u>a monetary</u> reduction
23	thereof for each day or portion of a day of imprisonment. <u>This</u>
24	reduction shall be the current minimum wage per hour multiplied
25	by eight hours. When the person has remained imprisoned a

sufficient length of time to extinguish the fine or cost or both, computed at this rate, or has paid to the sentencing court the amount of the fine or costs or both, remaining after deducting credit allowed by this section and obtaining from the court an order of release from commitment, the officer having the prisoner in custody shall discharge him from custody under commitment.

custody of the prisoner."

B. If the person in custody makes an affidavit that he has no property out of which he can pay the fine and costs, either or any part, the prisoner shall not be retained in custody longer than [three months] ninety days even though the fine and costs or either exceeds [four hundred fifty dollars (\$450)] the amount that will accrue during those ninety days. The affidavit shall be delivered to the sheriff or jail administrator as defined in Section 4-44-19 NMSA 1978 having

- 2 -

Underscored material = new | |

State of New Mexico House of Representatives

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FIRST SESSION, 1997

FORTY-THIRD LEGISLATURE

February 14, 1997

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

HOUSE BILL 371

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 20, strike the word "prison" and insert in lieu thereof "place of confinement".

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FORTY-THIRD LEGISLATURE FIRST SESSION, 1997

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2			Respectfully submitted,	
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6			Thomas P. Foy, Chairman	
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9	Adopted		Not Adopted	
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11		(Chief Clerk)	(Chi ef Cl erk	()
12		Nate		
13		<u> </u>		
14	The roll c	all vote was <u>11</u> For	0_ Agai nst	
15	Yes:	11		
16	Excused:	Ri os, Sanchez		
17	Absent:	None		
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2	F1RST SESSION, 1997
3	
4	March 5, 1997
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6	Mr. President:
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8	Your JUDICIARY COMMITTEE , to whom has been referred
9	HOUSE BILL 371
10	
11	has had it under consideration and reports same with
12	recommendation that it DO PASS , amended as follows:
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14	1. On page 1, line 24, after "current" insert "federal".
15	and thence referred to the FINANCE COMMTTEE .
16	
17	Respectfully submitted,
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21	Fernando R. Macias, Chairnan
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25	Adopted Not Adopted
	(Chi ef Clerk) (Chi ef Clerk)
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FORTY-THIRD LEGISLATURE HB 371/a

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FORTY-THIRD LEGISLATURE

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_	Yes:	8							
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FORTY-THIRD LEGISLATURE

1	FIRST SESSION, 1997
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6	FORTY- THIRD LEGISLATURE
7	FIRST SESSION, 1997
8	
9	March 12, 1997
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11	Mr. President:
12	TO THE TOTAL THE
13	Your FINANCE COMMITTEE , to whom has been referred
14	HOUSE BILL 371, as anended
15	
16	has had it under consideration and reports same with
17	recommendation that it DO PASS .
18	
19	Respectfully submitted,
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23	Ben D. Altanirano, Chairnan
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FORTY-THIRD LEGISLATURE FIRST SESSION, 1997

1			FIRST SESSION, 1997		
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4	Adopted_		Not Adopted		
5		(Chi ef Cl erk)		(Chief Clerk)	
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8		Date _			
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10					
11	The roll Yes:	call vote was 6	3 For <u>0</u> Agai nst		
12	No:	None			
13			Lyons, McKi bben, Fi del		
14	Absent:	None	Lyons, ment oben, Fruer		
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