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SENATE BILL 378

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Michael S. Sanchez

FOR THE COURTS, CORRECTIONS AND CRIMINAL JUSTICE COMMITTEE

AN ACT

RELATING TO THE PUBLIC DEFENDER DEPARTMENT; ESTABLISHING A  
MINIMUM FUNDING LEVEL FOR THE PUBLIC DEFENDER DEPARTMENT;  
AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 31-15-5 NMSA 1978 (being Laws 1978,  
Chapter 14, Section 1) is amended to read:

"31-15-5. PUBLIC DEFENDER DEPARTMENT-- CREATION--  
ADMINISTRATION-- FINANCE. --

A. There is created the "public defender  
department". The headquarters of the department shall be  
maintained at Santa Fe. The chief shall be the administrative  
head of the department. The department is administratively  
attached to the ~~[criminal justice]~~ corrections department.

B. All salaries and other expenses of the

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1 department shall be paid by warrants of the secretary of  
2 finance and administration, supported by vouchers signed by  
3 the chief or his authorized representative and in accordance  
4 with budgets approved by the state budget division of the  
5 department of finance and administration.

6 C. Beginning with fiscal year 2000, the general  
7 fund appropriation to the public defender department shall not  
8 be less than seventy-five percent of the sum of:

9 (1) general fund appropriations to district  
10 attorneys' offices in the state and the criminal appeals  
11 division of the office of the attorney general; and

12 (2) state or federal grants awarded during  
13 the previous fiscal year to district attorneys' offices in the  
14 state and the criminal appeals division of the office of the  
15 attorney general. "

16 Section 2. EFFECTIVE DATE. --The effective date of the  
17 provisions of this act is July 1, 1999.

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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5  
6 February 15, 1999

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8 Mr. President:

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10 Your JUDICIARY COMMITTEE, to whom has been referred

11  
12 SENATE BILL 378

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14 has had it under consideration and reports same WITHOUT  
15 RECOMMENDATION, and thence referred to the FINANCE COMMITTEE.

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18 Respectfully submitted,

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23 Cisco McSorley, Vice Chairman

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FORTY-SECOND LEGISLATURE  
SECOND SESSION

KEYBOARD(TYPE SLUGS)

Page 4

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 1 Against

Yes: 5

No: Davis

Excused: Aragon, Tsosie

Absent: None

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