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BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO COURT OPERATIONS; MAKING THE MAGISTRATE COURTS
OPERATIONS FUND AND FEES PERMANENT.

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

SECTION 1. Section 35-7-13 NMSA 1978 (being Laws 2010,
Chapter 7, Section 1) is amended to read:

"35-7-13. MAGISTRATE COURTS OPERATIONS FUND--CREATED--
PURPOSE [~~TERMINATION OF FUND~~].--The "magistrate courts
operations fund" is created in the state treasury for
appropriation by the legislature for the operations of
magistrate courts. The fund consists of magistrate courts
operations fees collected pursuant to Section 66-8-116.3 NMSA
1978 and any appropriations, gifts, grants and donations.
Income from the fund shall be credited to the fund. Money in
the fund at the end of a fiscal [~~years 2010, 2011, 2012 and~~

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1 2013] year shall not revert to any other fund. [Balances
2 remaining in the fund at the end of fiscal year 2014 shall
3 revert to the general fund, and the fund shall be dissolved on
4 July 1, 2014.]"

5 SECTION 2. Section 66-8-116.3 NMSA 1978 (being Laws 1989,
6 Chapter 318, Section 35 and Laws 1989, Chapter 319, Section 14
7 and also Laws 1989, Chapter 320, Section 5, as amended) is
8 amended to read:

9 "66-8-116.3. PENALTY ASSESSMENT MISDEMEANORS--ADDITIONAL
10 FEES.--In addition to the penalty assessment established for
11 each penalty assessment misdemeanor, there shall be assessed:

12 A. in a county without a metropolitan court, twenty
13 dollars (\$20.00) to help defray the costs of local government
14 corrections;

15 B. a court automation fee of ten dollars (\$10.00);

16 C. a traffic safety fee of three dollars (\$3.00),
17 which shall be credited to the traffic safety education and
18 enforcement fund;

19 D. a judicial education fee of three dollars
20 (\$3.00), which shall be credited to the judicial education
21 fund;

22 E. a jury and witness fee of five dollars (\$5.00),
23 which shall be credited to the jury and witness fee fund;

24 F. a juvenile adjudication fee of one dollar
25 (\$1.00), which shall be credited to the juvenile adjudication

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1 fund;

2 G. a brain injury services fee of five dollars
3 (\$5.00), which shall be credited to the brain injury services
4 fund;

5 H. a court facilities fee as follows:
6 in a county with a metropolitan court \$24.00;
7 in any other county 10.00;
8 and

9 I. ~~[until May 31, 2014]~~ a magistrate courts
10 operations fee of four dollars (\$4.00), which shall be credited
11 to the magistrate courts operations fund."