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\_\_\_\_\_ BILL

**56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO JUDICIAL SALARIES; PROVIDING THAT JUSTICES OF THE STATE SUPREME COURT RECEIVE AN ANNUAL SALARY EQUAL TO THE ANNUAL SALARY RECEIVED BY NEW MEXICO FEDERAL MAGISTRATE JUDGES; REMOVING SALARY FORMULAS FOR MAGISTRATES.

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

**SECTION 1.** Section 34-1-9 NMSA 1978 (being Laws 1993, Chapter 278, Section 1, as amended) is amended to read:

"34-1-9. SALARIES OF JUSTICES, JUDGES AND MAGISTRATES.--

A. Justices of the supreme court shall each receive an annual salary ~~[as provided by the legislature]~~ equal to the annual salary received by New Mexico federal magistrate judges.

The chief justice of the supreme court shall receive an annual salary that is two thousand dollars (\$2,000) more than the annual salary of a justice of the supreme court.

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B. The chief judge of:

(1) the court of appeals shall receive an annual salary that is ninety-five percent of the annual salary of the chief justice of the supreme court;

(2) a district court shall receive an annual salary that is ninety-five percent of the annual salary of the chief judge of the court of appeals; and

(3) a metropolitan court shall receive an annual salary that is ninety-five percent of the annual salary of the chief judge of a district court.

~~G. The presiding magistrate of a magistrate district where three or more divisions operate as a single court shall receive an annual salary that is seventy-five percent of the annual salary of the chief judge of a metropolitan court.~~

~~D.]~~ C. Notwithstanding any other provision of law or any other provision of this section, the annual salaries of the following judges ~~[and magistrates]~~ shall be established as follows:

(1) a judge of the court of appeals shall receive an annual salary that is ninety-five percent of the annual salary of a justice of the supreme court;

(2) a district court judge shall receive an annual salary that is ninety-five percent of the annual salary of a judge of the court of appeals; and

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1 (3) a metropolitan court judge shall receive  
2 an annual salary that is ninety-five percent of the annual  
3 salary of a district court judge.

4 ~~[(4) a full-time magistrate shall receive an~~  
5 ~~annual salary that is seventy-five percent of the annual salary~~  
6 ~~of a metropolitan court judge;~~

7 ~~(5) a half-time magistrate shall receive an~~  
8 ~~annual salary that is fifty percent of the annual salary of a~~  
9 ~~full-time magistrate; and~~

10 ~~(6) a quarter-time magistrate shall receive an~~  
11 ~~annual salary that is twenty-five percent of the annual salary~~  
12 ~~of a full-time magistrate.~~

13 ~~E.]~~ D. For fiscal year 1995 and all subsequent  
14 fiscal years, the annual salary for justices of the supreme  
15 court, judges of the court of appeals, district court judges,  
16 metropolitan court judges and magistrates shall be  
17 [~~established~~] provided by the legislature in an appropriations  
18 act.

19 [~~F.]~~ E. No additional salaries shall be paid to  
20 justices, judges or magistrates on account of services rendered  
21 the state. Justices of the supreme court, judges of the court  
22 of appeals, district court judges, metropolitan court judges  
23 and magistrates shall receive per diem and mileage for  
24 necessary travel on official business of the court as provided  
25 in the Per Diem and Mileage Act."

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