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BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO COURTS; PROVIDING THAT A MUNICIPALITY MAY APPEAL TO THE COURT OF APPEALS FROM ANY DECISION OF THE DISTRICT COURT.

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

SECTION 1. Section 35-15-11 NMSA 1978 (being Laws 1935, Chapter 28, Section 1, as amended) is amended to read:

"35-15-11. MUNICIPALITY MAY APPEAL.--~~[The]~~ A municipality ~~[shall have]~~ has the right to appeal to the district court from the municipal court and to the ~~[supreme]~~ court of appeals from any decision of the district court in every case brought for the violation of an ordinance of ~~[said]~~ the municipality. The municipality shall be allowed an appeal from the municipal court to the district court only when the municipal court has held an ordinance or section ~~[thereof]~~ of an ordinance invalid or unconstitutional or that the complaint is not legally

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