HOUSE BILL 165

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Robert M. Burpo

FOR THE NEW MEXICO FINANCE AUTHORITY OVERSIGHT COMMITTEE

AN ACT

RELATING TO PUBLIC FINANCE; EXTENDING THE TIME LIMIT FOR
ISSUANCE OF GENERAL OBLIGATION BONDS BY CERTAIN SCHOOL
DISTRICTS, COUNTIES AND MUNICIPALITIES TO FOUR YEARS.

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

    Section 1. Section 6-15-9 NMSA 1978 (being Laws 1933,
Chapter 114, Section 1, as amended) is amended to read:

    "6-15-9.   BONDS AUTHORIZED AT ELECTION--TIME LIMIT ON
ISSUANCE--EXCEPTIONS.--

        A.   Except as provided in Subsection B of this
section, no bonds shall be issued [or sold] by [any] a school
district, county or municipality after the expiration of
[three] four years from the date of the election authorizing
the issue, except for the purpose of refunding previous bond
issues or in payment of judgments [or if the issuance of the

.133958.1

1 bonds has been authorized at a regular election for officers

2 of any such school district, county or municipality or, where

3 authorized by statute, at a special election held for that

4 purpose].   The bonds may be sold to the United States or to

5 the state [of New Mexico] in any case in which the state [of

6 New Mexico] or the United States has made an offer to purchase

7 the bonds and the offer was accepted prior to the expiration

8 of the [three-year] four-year period.   Any period of time when

9 the validity of bonds or the election therefor is in

10 litigation shall be excluded from the [three-year] four-year

11 period.

12   B.   For class A counties with populations over four

13 hundred fifty thousand and for those municipalities with

14 populations over three hundred thousand and school districts

15 located in class A counties, no bonds shall be issued after

16 the expiration of three years from the date of the election

17 authorizing the issue, except for the purpose of refunding

18 previous bond issues or in payment of judgments.   The bonds

19 may be sold to the state or the United States in any case in

20 which the state or the United States has made an offer to

21 purchase the bonds and the offer was accepted prior to the

22 expiration of the three-year period."

23   Section 2.   Section 6-15-10 NMSA 1978 (being Laws 1933,

24 Chapter 114, Section 2, as amended) is amended to read:

25   "6-15-10.   UNISSUED BONDS AUTHORIZED AT ELECTION--WHEN

.133958.1

1   VOID--EXCEPTIONS.--In all cases where bond issues by the

2   school districts, counties or municipalities have been

3   authorized by special election and the bonds have not been

4   issued [and sold] within [three years] the time allowed in

5   Section 6-15-9 NMSA 1978 from the date of the special election

6   authorizing the proposed issue, the proposed bond issue is

7   void, except where issued for refunding bonded debt or for

8   payment of judgments against the school district, county or

9   municipality [and, except where the issuance of the bonds has

10   been authorized at a regular election for officers of any

11   school district, county or municipality or, where authorized

12   by statute, at a special election held for those purposes].

13   Such bonds may be sold to the United States or to the state

14   [of New Mexico] at private sale in any case in which the state

15   [of New Mexico] or the United States has made an offer to

16   purchase the bonds and the offer was accepted prior to the

17   expiration of the [three-year] four-year period allowed in

18   Section 6-15-9 NMSA 1978."

19   - 3 -

20

21

22

23

24

25

.133958.1