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HOUSE BILL 336

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Manuel G. Herrera

AN ACT

RELATING TO MUNICIPAL COURTS; CREATING THE MUNICIPAL COURT  
WARRANT ENFORCEMENT FUND; MAKING AN APPROPRIATION.

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

Section 1. MUNICIPAL COURT WARRANT ENFORCEMENT FUND--  
FEE--ADMINISTRATION--USE OF MONEY IN FUND.--

A. Municipalities may create a "municipal court  
warrant enforcement fund" to be administered by the municipal  
court clerk.

B. Upon issuance of a bench warrant, a municipal  
court may assess a fee of one hundred dollars (\$100) against  
the individual whose arrest is commanded by the bench warrant.  
Money collected pursuant to the fee assessment authorized by  
this subsection shall be deposited in the municipal court  
warrant enforcement fund.

underscored material = new  
[bracketed material] = delete

1           C. All balances in the municipal court warrant  
2 enforcement fund are for the primary purpose of employing  
3 personnel and purchasing equipment and services to aid in the  
4 collection of fines, fees or costs owed to the municipal  
5 courts. After satisfaction of the primary purpose, any money  
6 remaining in the fund may, to the extent deemed necessary by  
7 the municipal court clerk, be used for the secondary purpose of  
8 partially reimbursing law enforcement agencies for the expense  
9 of serving bench warrants issued by the municipal courts,  
10 pursuant to an intergovernmental agreement entered into between  
11 the law enforcement agency and the municipal court clerk.

12           D. Payments from the municipal court warrant  
13 enforcement fund shall be made upon warrants drawn by the  
14 municipal chief financial officer pursuant to vouchers issued  
15 and signed by the municipal court clerk.

16           E. Any balance remaining in the municipal court  
17 warrant enforcement fund at the end of a fiscal year shall not  
18 revert to the municipality's general fund.

19           Section 2. EFFECTIVE DATE. --The effective date of the  
20 provisions of this act is July 1, 2003.