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FISCAL IMPACT REPORT

SPONSOR Rawson DATE TYPED 02/28/05 HB _____

SHORT TITLE Limit Property Tax Violation Civil Penalties SB 1018

ANALYST Wilson

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			
		(\$0.1)	Recurring	County Funds

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

Senate Bill 1018 amends Section 7-38-8 NMSA 1978 relating to the taxation of property. The statute currently imposes a civil penalty when a person fails to report property as specified by this statute. This bill will add a knowing requirement to a person's failure to report property or improvements.

Significant Issues

The AGO states:

- Ignorance of this reporting requirement will be a complete defense to a violation of the statute.
- Persons owning property will have a disincentive to educate themselves as to the reporting obligations of such ownership.

FISCAL IMPLICATIONS

According to the AGO this amendment to the current law will make it harder to enforce so there may be a slight decrease in revenues from penalty fines.

DW/lg