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AN ACT

RELATING TO COURTS; ELIMINATING A MAGISTRATE JUDGE POSITION  
IN THE LEA MAGISTRATE DISTRICT; DECLARING AN EMERGENCY.

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

Section 1. Section 35-1-16 NMSA 1978 (being Laws 1968,  
Chapter 62, Section 18, as amended) is amended to read:

"35-1-16. MAGISTRATE COURT--LEA DISTRICT.--

A. Until January 1, 2007, there shall be five  
magistrates in Lea magistrate district, division 1 in  
Lovington, divisions 2 and 5 operating as a single court in  
Hobbs, division 3 in Eunice and division 4 in Tatum. The  
division 3 magistrate shall ride circuit to Jal on a  
regularly scheduled basis and shall ride circuit to Hobbs as  
needed.

B. On January 1, 2007, there shall be four  
magistrates in the Lea magistrate district, division 4 in  
Lovington, divisions 1 and 2 operating as a single court in  
Hobbs and division 3 in Eunice. The division 4 magistrate  
shall ride circuit to Tatum on a regularly scheduled basis.  
The division 3 magistrate shall ride circuit to Jal on a  
regularly scheduled basis and shall ride circuit to Hobbs as  
needed.

C. Magistrate judges shall not be elected at-large  
from the district, but shall be elected by the voters of the

1 division for which the magistrate sits. Magistrate judges  
2 shall reside in their divisions, but shall have district-wide  
3 jurisdiction. For the 2006 and subsequent elections, the  
4 composition of the divisions for elections and residence  
5 purposes is as follows:

6 (1) division 1 is composed of Lea county  
7 precincts 23 through 30, 32 and 41 through 43;

8 (2) division 2 is composed of Lea county  
9 precincts 33 through 35, 44, 51 through 55 and 61;

10 (3) division 3 is composed of Lea county  
11 precincts 20, 22, 31, 36, 62 and 71 through 74; and

12 (4) division 4 is composed of Lea county  
13 precincts 2, 3, 10 through 18 and 21."

14 Section 2. TEMPORARY PROVISION--COURT CLOSURES--CLERK  
15 POSITIONS--OTHER RESOURCES.--The magistrate court clerk  
16 positions assigned to the magistrate courts shall not be  
17 decreased as a result of this act, but the administrative  
18 office of the courts shall reassign positions from the  
19 abolished court to other magistrate courts. The  
20 administrative office of the courts shall reassign other  
21 resources, including furniture, equipment and supplies, to  
22 other magistrate courts as needed.

23 Section 3. EMERGENCY.--It is necessary for the public  
24 peace, health and safety that this act take effect  
25 immediately.