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FISCAL IMPACT REPORT

ORIGINAL DATE 2/14/07

SPONSOR Taylor LAST UPDATED _____ HB _____

SHORT TITLE Increase Sheriff Service of Process Fees SB 1035

ANALYST C. Sanchez

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Non-Rec | Fund Affected |
|---------------|------|-------------------------|------------------|
| FY07 | FY08 | | |
| | NFI | | |
| | | | |

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Non-Rec | Fund Affected |
|-------------------|---------------|---------------|-------------------------|------------------|
| FY07 | FY08 | FY09 | | |
| | Indeterminate | Indeterminate | Recurring | County Funds |
| | | | | |

(Parenthesis () Indicate Revenue Decreases)

Duplicates HB 1065

SOURCES OF INFORMATION

LFC Files

Responses Received From

Corrections Department (CD)

Administrative Office of the Courts (AOC)

Bernalillo County Metropolitan Court (BCMC)

SUMMARY

Synopsis of Bill

Senate Bill 1035 amends Section 4-41-16 NMSA 1978 to increase the amount allowed to be charged by a county sheriff for service of a writ, citation, order, subpoena or summons from \$30 to \$40.

The effective date of the act is July 1, 2007.

FISCAL IMPLICATIONS

SB 1035 should increase the Sheriff Department's revenue considerably; this is a 25% increase to their fees.

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes.

SIGNIFICANT ISSUES

Section 4-41-15 NMSA 1978 provides that “[t]he party at whose application any civil writ, subpoena or process, except execution, is issued, shall pay in advance, if so demanded by the sheriff, the fees allowed by law for such services.”

DUPLICATION,

HB 1065

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Sheriffs Departments will receive the same amount of revenue as they do now.

CS/nt