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HOUSE MEMORIAL 42

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Jim R. Trujillo

A MEMORIAL

REQUESTING THE INTERIM REVENUE STABILIZATION AND TAX POLICY
COMMITTEE TO STUDY THE NEED FOR CHANGES TO THE PROPERTY TAX
SYSTEM TO ACCOMMODATE THE UNIQUE CHARACTERISTICS OF NEW
MEXICO'S TRADITIONAL COMMUNITIES.

WHEREAS, a fair system of property taxation is in the best
interests of the state of New Mexico and its citizens; and

WHEREAS, New Mexico is a diverse state with many different
land use patterns; and

WHEREAS, in some areas of New Mexico, residential property
is frequently sold and resold, while in other areas,
traditional land ownership patterns survive and change in
ownership is infrequent; and

WHEREAS, in some areas of New Mexico, real property is
regarded as an investment and as a commodity intended to be

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1 sold for a profit, while in other areas, such as traditional
2 and rural communities, the uniqueness of real property is
3 recognized and property is often retained in family ownership
4 for generations as a source of connection to family, community
5 and historical tradition; and

6 WHEREAS, the Property Tax Code makes no special provision
7 for valuation of vacant land; and

8 WHEREAS, the three percent annual limitation on increases
9 in value does not apply to vacant land, thereby making it
10 costly to retain ownership of vacant land; and

11 WHEREAS, in northern New Mexico, local governments have
12 recognized the unique characteristics of traditional
13 communities and the importance of preserving traditional
14 communities by granting them special consideration in land use
15 and zoning decisions; and

16 WHEREAS, the Property Tax Code does not make a
17 distinction between real property in these traditional
18 communities and real property in other, often urbanized areas
19 of New Mexico; and

20 WHEREAS, the lack of recognition of the unique
21 characteristics of rural and traditional communities has led to
22 great hardship for the owners of property in these communities
23 due to inflated property tax valuations that arise from real
24 property being treated as a commodity;

25 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF

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1 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the interim
2 revenue stabilization and tax policy committee be requested to
3 conduct a study of the detrimental effects of the present
4 property tax system on traditional and rural areas of New
5 Mexico with respect to both owner-occupied residential property
6 and vacant land and to develop recommendations to relieve these
7 inequities; and

8 BE IT FURTHER RESOLVED that the committee make specific
9 recommendations for changes needed in the constitution of New
10 Mexico, the Property Tax Code and property tax administrative
11 procedures and endorse legislation to enact these changes; and

12 BE IT FURTHER RESOLVED that copies of this memorial be
13 transmitted to the chair of the interim revenue stabilization
14 and tax policy committee, the co-chairs of the New Mexico
15 legislative council and the director of the legislative council
16 service.