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AN ACT

RELATING TO COURTS; CREATING ADDITIONAL JUDGESHIPS IN THE
FIRST JUDICIAL DISTRICT AND IN THE DONA ANA MAGISTRATE
DISTRICT; DECLARING AN EMERGENCY.

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

Section 1. Section 34-6-4 NMSA 1978 (being Laws 1968,
Chapter 69, Section 7, as amended) is amended to read:

"34-6-4. JUDGES--FIRST JUDICIAL DISTRICT.--There shall
be eight district judges in the first judicial district."

Section 2. Section 35-1-10 NMSA 1978 (being Laws 1968,
Chapter 62, Section 12, as amended) is amended to read:

"35-1-10. MAGISTRATE COURT--DONA ANA DISTRICT.--There
shall be six magistrates in Dona Ana magistrate district.
Divisions 1, 2, 3, 4, 5 and 6 shall operate as a single court
in Las Cruces and shall rotate riding circuit to Anthony and
Hatch on a regularly scheduled basis."

Section 3. TEMPORARY PROVISION--DISTRICT JUDGE--
APPOINTMENT.--The additional district judgeship provided for
in this 2010 act shall be filled by appointment by the
governor pursuant to the provisions of Article 6 of the
constitution of New Mexico.

Section 4. TEMPORARY PROVISION--MAGISTRATE COURT--
ELECTION.--

A. The office of magistrate in Dona Ana magistrate SB 6
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1 district, division 6, shall be filled by the general election
2 in 2010. The first full term of office of the elected
3 magistrate shall begin on January 1, 2011.

4 B. If this act is passed by less than a two-thirds
5 vote of either house of the legislature, the office of
6 magistrate in Dona Ana magistrate district, division 6, shall
7 be filled by appointment by the governor on or after the
8 effective date of this act. The appointed magistrate shall
9 serve until succeeded by a magistrate elected at the general
10 election in 2012.

11 Section 5. CONTINGENT EFFECTIVE DATE.--If this act is
12 passed by less than a two-thirds vote of either house of the
13 legislature, the effective date of the provisions of this act
14 is January 1, 2011.

15 Section 6. EMERGENCY.--It is necessary for the public
16 peace, health and safety that this act take effect
17 immediately. _____