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HOUSE BILL 269

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Edward C. Sandoval

AN ACT

RELATING TO LOCAL GOVERNMENTS; AUTHORIZING BOARDS OF COUNTY
COMMISSIONERS TO IMPOSE FEES SIMILAR TO MUNICIPALITIES
REGARDING FRANCHISES.

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

SECTION 1. Section 62-1-3 NMSA 1978 (being Laws 1909,
Chapter 141, Section 3, as amended) is amended to read:

"62-1-3. USE OF HIGHWAYS AND STREETS--POWER OF COUNTY
COMMISSIONERS.--The boards of county commissioners of the
several counties are authorized to permit corporations
organized pursuant to Section 62-1-1 NMSA 1978, public
utilities under the Public Utility Act and companies that
provide public telecommunications service pursuant to the New
Mexico Telecommunications Act to use the public highways and
the streets and alleys of unincorporated towns for their pipes,

.183400.1

underscored material = new
~~[bracketed material] = delete~~

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1 poles, wires, cables, conduits, towers, transformer stations
2 and other fixtures, appliances and structures; provided that
3 such use shall not unnecessarily obstruct public travel; and
4 provided further that the boards of county commissioners and
5 municipal authorities of incorporated cities and towns are
6 authorized to grant franchises not exceeding twenty-five years'
7 duration to corporations for such purposes within their
8 respective jurisdictions. [~~A board of commissioners is~~
9 ~~authorized to impose charges for reasonable actual expenses~~
10 ~~incurred in the granting of any franchise pursuant to this~~
11 ~~section.~~]"

12 SECTION 2. EFFECTIVE DATE.--The effective date of the
13 provisions of this act is July 1, 2011.

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