

1 SENATE BILL 388

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Michael S. Sanchez

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10 AN ACT

11 RELATING TO COURTS; PROHIBITING COURTS FROM REQUIRING THE USE
12 OF ELECTRONIC SERVICES FOR FILING OR ACCESS TO COURT DOCUMENTS.

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

15 SECTION 1. Section 34-2-10 NMSA 1978 (being Laws 2009,
16 Chapter 112, Section 2) is amended to read:

17 "34-2-10. SUPREME COURT--ELECTRONIC SERVICES FEE.--

18 A. The clerk of the supreme court may charge and
19 collect from persons who use electronic services an electronic
20 services fee in an amount established by supreme court rule.
21 Proceeds from the electronic services fee shall be remitted to
22 the administrative office of the courts for deposit in the
23 electronic services fund.

24 B. The court shall not charge an electronic
25 services fee to persons who choose not to use electronic

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underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 services and shall allow persons to file and access documents
2 without using electronic services."

3 SECTION 2. Section 34-5-15 NMSA 1978 (being Laws 2009,
4 Chapter 112, Section 3) is amended to read:

5 "34-5-15. COURT OF APPEALS--ELECTRONIC SERVICES FEE.--

6 A. The clerk of the court of appeals may charge and
7 collect from persons who use electronic services an electronic
8 services fee in an amount established by supreme court rule.
9 Proceeds from the electronic services fee shall be remitted to
10 the administrative office of the courts for deposit in the
11 electronic services fund.

12 B. The court shall not charge an electronic
13 services fee to persons who choose not to use electronic
14 services and shall allow persons to file and access documents
15 without using electronic services."

16 SECTION 3. Section 34-6-48 NMSA 1978 (being Laws 2009,
17 Chapter 112, Section 4) is amended to read:

18 "34-6-48. DISTRICT COURT--ELECTRONIC SERVICES FEE.--

19 A. A district court may charge and collect from
20 persons who use electronic services an electronic services fee
21 in an amount established by supreme court rule. Proceeds from
22 the electronic services fee shall be remitted to the
23 administrative office of the courts for deposit in the
24 electronic services fund.

25 B. The court shall not charge an electronic

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1 services fee to persons who choose not to use electronic
2 services and shall allow persons to file and access documents
3 without using electronic services."

4 SECTION 4. Section 34-8A-15 NMSA 1978 (being Laws 2009,
5 Chapter 112, Section 5) is amended to read:

6 "34-8A-15. METROPOLITAN COURT--ELECTRONIC SERVICES FEE.--

7 A. A metropolitan court may charge and collect from
8 persons who use electronic services an electronic services fee
9 in an amount established by supreme court rule. Proceeds from
10 the electronic services fee shall be remitted to the
11 administrative office of the courts for deposit in the
12 electronic services fund.

13 B. The court shall not charge an electronic
14 services fee to persons who choose not to use electronic
15 services and shall allow persons to file and access documents
16 without using electronic services."

17 SECTION 5. Section 35-6-10 NMSA 1978 (being Laws 2009,
18 Chapter 112, Section 6) is amended to read:

19 "35-6-10. MAGISTRATE COURT--ELECTRONIC SERVICES FEE.--

20 A. A magistrate court may charge and collect from
21 persons who use electronic services an electronic services fee
22 in an amount established by supreme court rule. Proceeds from
23 the electronic services fee shall be remitted to the
24 administrative office of the courts for deposit in the
25 electronic services fund.

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