

AN ACT

RELATING TO COUNTIES; INCREASING THE SALARY LIMIT FOR ELECTED COUNTY OFFICIALS; ELIMINATING CERTAIN COUNTY CLASSES; CHANGING SALARY EQUITY REQUIREMENTS; AMENDING AND REPEALING SECTIONS OF THE NMSA 1978.

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

SECTION 1. Section 4-44-1 NMSA 1978 (being Laws 1957, Chapter 196, Section 1, as amended) is amended to read:

"4-44-1. CLASSIFICATION FOR SALARY PURPOSES.--

A. For the purpose of fixing salaries of county officers, the several counties of the state, except "H" class counties, are hereby classified as follows:

(1) those having a final, full assessed valuation of over seventy-five million dollars (\$75,000,000) and having a population of one hundred thousand persons or more as determined by the most current annual population data or estimate available from the United States census bureau, as class "A" counties;

(2) those having a final, full assessed valuation in excess of seventy-five million dollars (\$75,000,000) with a population of less than one hundred thousand persons as determined by the most current annual population data or estimate available from the United States census bureau, as class "B" counties; and

(3) those having a final, full assessed valuation equal to or less than seventy-five million dollars (\$75,000,000) with a population of less than one hundred thousand persons as determined by the most current annual population data or estimate available from the United States census bureau, as class "C" counties.

B. The assessed valuation for each year shall be the full valuation as finally fixed for that year."

SECTION 2. Section 4-44-4 NMSA 1978 (being Laws 1957, Chapter 196, Section 2, as amended) is amended to read:

"4-44-4. CLASS A COUNTIES--SALARIES.--The annual salaries of elected officers of class A counties shall not exceed:

A. county commissioners, thirty-four thousand five dollars (\$34,005) each;

B. treasurer, seventy-five thousand three hundred twenty-seven dollars (\$75,327);

C. assessor, seventy-five thousand three hundred twenty-seven dollars (\$75,327);

D. sheriff, seventy-eight thousand five hundred fifty-five dollars (\$78,555);

E. county clerk, seventy-five thousand three hundred twenty-seven dollars (\$75,327); and

F. probate judge, thirty-three thousand one hundred forty-three dollars (\$33,143)."

SECTION 3. Section 4-44-4.1 NMSA 1978 (being Laws 1986, Chapter 67, Section 2, as amended) is amended to read:

"4-44-4.1. CLASS B COUNTIES--OVER THREE HUNDRED MILLION DOLLARS (\$300,000,000) VALUATION--SALARIES.--The annual salaries of elected officers of class B counties with an assessed valuation of over three hundred million dollars (\$300,000,000) shall not exceed:

A. county commissioners, twenty-six thousand two hundred fifty-seven dollars (\$26,257) each;

B. treasurer, sixty-five thousand eight hundred fifty-five dollars (\$65,855);

C. assessor, sixty-five thousand eight hundred fifty-five dollars (\$65,855);

D. sheriff, sixty-eight thousand six hundred fifty-four dollars (\$68,654);

E. county clerk, sixty-five thousand eight hundred fifty-five dollars (\$65,855); and

F. probate judge, twenty-three thousand twenty-eight dollars (\$23,028)."

SECTION 4. Section 4-44-5 NMSA 1978 (being Laws 1957, Chapter 196, Section 3, as amended) is amended to read:

"4-44-5. CLASS B COUNTIES--SALARIES.--The annual salaries of elected officers of class B counties with an assessed valuation of over seventy-five million dollars (\$75,000,000) but under three hundred million dollars

(\$300,000,000) shall not exceed:

A. county commissioners, eighteen thousand seven hundred twenty-five dollars (\$18,725) each;

B. treasurer, fifty-six thousand three hundred eighty-six dollars (\$56,386);

C. county assessor, fifty-six thousand three hundred eighty-six dollars (\$56,386);

D. county sheriff, fifty-eight thousand nine hundred sixty-nine dollars (\$58,969);

E. county clerk, fifty-six thousand three hundred eighty-six dollars (\$56,386); and

F. probate judge, thirteen thousand one hundred twenty-nine dollars (\$13,129)."

SECTION 5. Section 4-44-6 NMSA 1978 (being Laws 1957, Chapter 196, Section 4, as amended) is amended to read:

"4-44-6. CLASS C COUNTIES--SALARIES.--The annual salaries of elected officers of class C counties shall not exceed:

A. county commissioners, eighteen thousand seven hundred twenty-five dollars (\$18,725) each;

B. county treasurer, fifty-six thousand three hundred eighty-six dollars (\$56,386);

C. county assessor, fifty-six thousand three hundred eighty-six dollars (\$56,386);

D. county sheriff, fifty-eight thousand nine

hundred sixty-nine dollars (\$58,969);

E. county clerk, fifty-six thousand three hundred eighty-six dollars (\$56,386); and

F. probate judge, thirteen thousand one hundred twenty-nine dollars (\$13,129)."

SECTION 6. Section 4-44-12.3 NMSA 1978 (being Laws 1991, Chapter 91, Section 1, as amended) is amended to read:

"4-44-12.3. UNIFORM SALARY CHANGES.--

A. The majority of a board of county commissioners may provide for salary increases for elected county officials; provided, however, that no salary increase shall take effect until the first day of the term of an elected county official who takes office after the date that salary increase is approved.

B. Beginning with terms beginning January 1, 2013, the board of county commissioners in each county shall provide for the treasurer, assessor and clerk each to earn the same salary. The board of county commissioners shall provide for the sheriff to earn a salary not less than the salary earned by the treasurer, assessor and clerk and not more than five percent more than the salary earned by the treasurer, assessor and clerk."

SECTION 7. Section 4-44-14 NMSA 1978 (being Laws 1955, Chapter 4, Section 2, as amended) is amended to read:

"4-44-14. H CLASS COUNTIES--SALARIES AND EXPENSES.--

A. Officers elected or appointed in a county of the H class shall receive no more than the following annual salaries:

(1) county commissioners, thirteen thousand seven hundred seventy-seven dollars (\$13,777);

(2) treasurer, six thousand eight hundred eighty-nine dollars (\$6,889);

(3) assessor, six thousand eight hundred eighty-nine dollars (\$6,889);

(4) sheriff, six thousand eight hundred eighty-nine dollars (\$6,889);

(5) county clerk, six thousand eight hundred eighty-nine dollars (\$6,889); and

(6) probate judge, four thousand thirty-one dollars (\$4,031).

B. The governing body of a county of the H class shall provide for salaries for the elected officials of the county pursuant to Section 4-44-12.3 NMSA 1978."

SECTION 8. REPEAL.--Sections 4-44-7, 4-44-8, 4-44-12.1, 4-44-12.2, 4-44-13 and 4-44-17 NMSA 1978 (being Laws 1957, Chapter 196, Sections 5 and 6, Laws 1982, Chapter 39, Sections 10 and 12, Laws 1957, Chapter 196, Section 12 and Laws 1953, Chapter 59, Section 1, as amended) are repealed.

SECTION 9. EFFECTIVE DATE.--

A. The effective date of the provisions of

Sections 1 through 5, 7 and 8 of this act is January 1, 2013.

B. The effective date of the provisions of Section
6 of this act is July 1, 2012. _____

HB 188
Page 7