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AN ACT

RELATING TO COURT OPERATIONS; CREATING THE MAGISTRATE COURTS OPERATIONS FUND; REINSTATING THE MAGISTRATE COURTS OPERATIONS FEE AND INCREASING IT TO FIVE DOLLARS (\$5.00).

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

SECTION 1. A new section of Chapter 35, Article 7 NMSA 1978 is enacted to read:

"MAGISTRATE COURTS OPERATIONS FUND.--The "magistrate courts operations fund" is created in the state treasury. The fund consists of magistrate courts operations fees collected pursuant to Section 66-8-116.3 NMSA 1978 and any appropriations, gifts, grants and donations. Income from the fund shall be credited to the fund. Money in the fund at the end of a fiscal year shall revert to the general fund. The administrative office of the courts shall administer the fund, and money in the fund is subject to appropriation by the legislature to the administrative office of the courts to operate magistrate courts. Money in the fund shall be disbursed on warrants signed by the secretary of finance and administration pursuant to vouchers signed by the director of the administrative office of the courts or the director's authorized representative."

SECTION 2. Section 66-8-116.3 NMSA 1978 (being Laws 1989, Chapter 318, Section 35 and Laws 1989, Chapter 319,

1 Section 14 and also Laws 1989, Chapter 320, Section 5, as
2 amended) is amended to read:

3 "66-8-116.3. PENALTY ASSESSMENT MISDEMEANORS--
4 ADDITIONAL FEES.--In addition to the penalty assessment
5 established for each penalty assessment misdemeanor, there
6 shall be assessed:

7 A. in a county without a metropolitan court,
8 twenty dollars (\$20.00) to help defray the costs of local
9 government corrections;

10 B. a court automation fee of ten dollars (\$10.00);

11 C. a traffic safety fee of three dollars (\$3.00),
12 which shall be credited to the traffic safety education and
13 enforcement fund;

14 D. a judicial education fee of three dollars
15 (\$3.00), which shall be credited to the judicial education
16 fund;

17 E. a jury and witness fee of five dollars (\$5.00),
18 which shall be credited to the jury and witness fee fund;

19 F. a juvenile adjudication fee of one dollar
20 (\$1.00), which shall be credited to the juvenile adjudication
21 fund;

22 G. a brain injury services fee of five dollars
23 (\$5.00), which shall be credited to the brain injury services
24 fund;

25 H. a court facilities fee as follows:

