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AN ACT

RELATING TO COURTS; RAISING THE MUNICIPAL COURT AUTOMATION
FEE FROM SIX DOLLARS (\$6.00) TO TEN DOLLARS (\$10.00).

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

SECTION 1. Section 35-14-11 NMSA 1978 (being Laws 1983,
Chapter 134, Section 6, as amended) is amended to read:

"35-14-11. MUNICIPAL ORDINANCE--COURT COSTS--
COLLECTION--PURPOSE.--

A. Every municipality shall enact an ordinance
requiring assessment of corrections fees, judicial education
fees and court automation fees to be collected as court costs
and used as provided in this section.

B. A municipal judge shall collect the following
costs:

(1) a corrections fee of twenty dollars
(\$20.00);

(2) a judicial education fee of three
dollars (\$3.00); and

(3) a court automation fee of ten dollars
(\$10.00).

C. The fees are to be collected upon conviction
from persons convicted of violating any ordinance relating to
the operation of a motor vehicle or any ordinance that may be
enforced by the imposition of a term of imprisonment.

1 D. All money collected pursuant to Paragraph (1)
2 of Subsection B of this section shall be deposited in a
3 special fund in the municipal treasury and shall be used for:

4 (1) municipal jailer or juvenile detention
5 officer training;

6 (2) the construction planning, construction,
7 operation and maintenance of a municipal jail or juvenile
8 detention facility;

9 (3) paying the cost of housing municipal
10 prisoners in a county jail or detention facility or housing
11 juveniles in a detention facility;

12 (4) complying with match or contribution
13 requirements for the receipt of federal funds relating to
14 jails or juvenile detention facilities;

15 (5) providing inpatient treatment or other
16 substance abuse programs in conjunction with or as an
17 alternative to jail sentencing;

18 (6) defraying the cost of transporting
19 prisoners to jails or juveniles to juvenile detention
20 facilities; or

21 (7) providing electronic monitoring systems.

22 E. If a municipality with a population less than
23 ten thousand according to the most recent federal decennial
24 census has a balance in its special fund pursuant to
25 Subsection D of this section that is over the amount

1 projected to be needed for the next fiscal year for the
2 purposes set forth in that subsection, the municipality may
3 transfer the unneeded balance to the municipality's general
4 fund.

5 F. A municipality may credit the interest
6 collected from fees deposited in the special fund pursuant to
7 Subsection D of this section to the municipality's general
8 fund.

9 G. All money collected pursuant to Paragraph (2)
10 of Subsection B of this section shall be remitted monthly to
11 the state treasurer for credit to the judicial education fund
12 and shall be used for the education and training, including
13 production of bench books and other written materials, of
14 municipal judges and other municipal court employees.

15 H. All money collected pursuant to Paragraph (3)
16 of Subsection B of this section shall be remitted monthly to
17 the state treasurer for credit to the municipal court
18 automation fund and shall be used for the purchase,
19 maintenance and operation of court automation systems in the
20 municipal courts. Operation includes staff expenses,
21 temporary or otherwise, and costs as needed to comply with
22 Section 35-14-12 NMSA 1978. The court automation systems
23 shall have the capability of providing, on a timely basis,
24 electronic records in a format specified by the judicial
25 information systems council.

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I. As used in this section, "convicted" means the defendant has been found guilty of a criminal charge by a municipal judge, either after trial, a plea of guilty or a plea of nolo contendere."