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FISCAL IMPACT REPORT

SPONSOR Gonzales/Romero/ **ORIGINAL DATE** 1/18/19
Lara/Herrera **LAST UPDATED** 1/24/19 **HB** 74/aHJC

SHORT TITLE Traditional Historic Community Qualifications **SB** _____

ANALYST Glenn

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
 State Land Office (SLO)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment to House Bill 74 deletes the term “qualified electors” in NMSA 1978, Sections 3-2-3(A) and 3-7-1.1(B) and replaces it with the term “voters”.

Synopsis of Original Bill

House Bill 74 proposes language that would alter the types of communities eligible under NMSA 1978, Section 3-7-1.1 for designation as a “traditional historic community.” Under the current law, only unincorporated areas located in class B counties with populations between 95 thousand and 99,500 are eligible for this designation. The bill deletes this limitation so that the unincorporated area may be located in any county.

This bill changes eligibility for areas that qualify as an urbanized territory under NMSA 1978, Section 3-2-3, striking two sections of statute. The first section amended by this bill strikes reference to county class and population between 95,000 and 99,500, based on the 1990 federal decennial census.

This bill also changes eligibility for areas that qualify as a traditional historic community. This bill strikes references to county class and population between 95,000 and 99,500, based on the 1990 federal decennial census.

FISCAL IMPLICATIONS

None noted

SIGNIFICANT ISSUES

Under existing Section 3-2-3, a territory within a class B county, with a population of 95,000-99,000 that has been declared a traditional historic community is not considered urbanized and is not subject to annexation by a municipality without a petition signed by a majority of the registered qualified electors within the traditional historic community. HB 74 changes that by removing the county class and population restriction so that a traditional historic community within a county of any class and population may not be annexed without a petition of registered voters in the community.

Under existing Section 3-7-1.1, to qualify as a traditional historic community an area shall be an unincorporated area of a class B county with a population between 95,000 and 99,000. HB 74 changes that by removing the county class and population restriction so that an area within a county of any class and population, that otherwise meets the statutory requirements, may qualify as a traditional historic community.

BG/sb/al