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SENATE BILL 144

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

ROMAN M MAES, III

AN ACT

RELATING TO CRIMINAL OFFENSES; CHANGING THE DISTRICT ATTORNEY
PROCESSING FEE FOR WORTHLESS CHECKS.

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

Section 1. Section 30-36-1 NMSA 1978 (being Laws 1963,
Chapter 315, Section 1) is amended to read:

"30-36-1. SHORT TITLE. -- [~~This act~~] Chapter 30, Article 36
NMSA 1978 may be cited as the "Worthless Check Act". "

Section 2. Section 30-36-10 NMSA 1978 (being Laws 1984,
Chapter 110, Section 4) is amended to read:

"30-36-10. DISTRICT ATTORNEY--PROCESSING FEE. --

A. A district attorney is authorized to assess a
processing fee against any person who is convicted of violating
Section 30-36-4 NMSA 1978 and against any person who
acknowledges violation of that section but for whom prosecution

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1 is waived by the district attorney. The processing fee assessed
2 pursuant to this section shall not exceed:

3 (1) [~~five dollars (\$5.00)~~] ten dollars (\$10.00)
4 if the amount of the check, draft or order is less than twenty-
5 five dollars (\$25.00);

6 (2) [~~ten dollars (\$10.00)~~] twenty dollars
7 (\$20.00) if the amount of the check, draft or order is twenty-
8 five dollars (\$25.00) or more but less than one hundred dollars
9 (\$100);

10 (3) thirty dollars (\$30.00) if the amount of
11 the check, draft or order is one hundred dollars (\$100) or more
12 but less than three hundred dollars (\$300);

13 (4) fifty dollars (\$50.00) if the amount of the
14 check, draft or order is three hundred dollars (\$300) or more
15 but less than five hundred dollars (\$500); [~~and~~]

16 (5) seventy-five dollars (\$75.00) if the amount
17 of the check, draft or order is five hundred dollars (\$500) or
18 more but less than two thousand dollars (\$2,000);

19 (6) one hundred dollars (\$100) if the amount of
20 the check, draft or order is two thousand dollars (\$2,000) or
21 more but less than three thousand dollars (\$3,000);

22 (7) one hundred twenty-five dollars (\$125) if
23 the amount of the check, draft or order is three thousand
24 dollars (\$3,000) or more but less than four thousand dollars
25 (\$4,000);

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1 (8) one hundred fifty dollars (\$150) if the
2 amount of the check, draft or order is four thousand dollars
3 (\$4,000) or more but less than five thousand dollars (\$5,000);

4 (9) one hundred seventy-five dollars (\$175) if
5 the amount of the check, draft or order is five thousand dollars
6 (\$5,000) or more but less than six thousand dollars (\$6,000);

7 (10) two hundred dollars (\$200) if the amount
8 of the check, draft or order is six thousand dollars (\$6,000) or
9 more but less than seven thousand dollars (\$7,000);

10 (11) two hundred twenty-five dollars (\$225) if
11 the amount of the check, draft or order is seven thousand
12 dollars (\$7,000) or more but less but less than eight thousand
13 dollars (\$8,000);

14 (12) two hundred fifty dollars (\$250) if the
15 amount of the check, draft or order is eight thousand dollars
16 (\$8,000) or more but less than nine thousand dollars (\$9,000);

17 (13) two hundred seventy-five dollars (\$275) if
18 the amount of the check, draft or order is nine thousand dollars
19 (\$9,000) or more but less than ten thousand dollars (\$10,000);

20 (14) three hundred dollars (\$300) if the amount
21 of the check, draft or order is ten thousand dollars (\$10,000)
22 or more but less than eleven thousand dollars (\$11,000);

23 (15) three hundred twenty-five dollars (\$325)
24 if the amount of the check, draft or order is eleven thousand
25 dollars (\$11,000) or more but less than twelve thousand dollars

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1 (\$12,000):

2 (16) three hundred fifty dollars (\$350) if the
3 amount of the check, draft or order is twelve thousand dollars
4 (\$12,000) or more but less than thirteen thousand dollars

5 (\$13,000):

6 (17) three hundred seventy-five dollars (\$375)
7 if the amount of the check, draft or order is thirteen thousand
8 dollars (\$13,000) or more but less than fourteen thousand
9 dollars (\$14,000):

10 (18) four hundred dollars (\$400) if the amount
11 of the check, draft or order is fourteen thousand dollars
12 (\$14,000) or more but less than fifteen thousand dollars

13 (\$15,000):

14 (19) four hundred twenty-five dollars (\$425) if
15 the amount of the check, draft or order is fifteen thousand
16 dollars (\$15,000) or more but less than sixteen thousand dollars

17 (\$16,000):

18 (20) four hundred fifty dollars (\$450) if the
19 amount of the check, draft or order is sixteen thousand dollars
20 (\$16,000) or more but less than seventeen thousand dollars

21 (\$17,000):

22 (21) four hundred seventy-five dollars (\$475)
23 if the amount of the check, draft or order is seventeen thousand
24 dollars (\$17,000) or more but less than eighteen thousand

25 dollars (\$18,000); and

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1 (22) five hundred dollars (\$500) if the amount
2 of the check, draft or order is eighteen thousand dollars
3 (\$18,000) or more.

4 B. All processing fees collected by a district
5 attorney pursuant to this section shall be transmitted to the
6 administrative office of the district attorneys for credit to
7 the district attorney fund. "

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