The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 87

HOUSE BILL 487

Introduced by

REPRESENTATIVE JANE E. POWDRELL-CULBERT AND
REPRESENTATIVE PAUL A. PACHECO
CHAPTER 87

AN ACT

RELATING TO MUNICIPAL COURT FEES; ALLOWING A MUNICIPALITY WITH A POPULATION LESS THAN TEN THOUSAND TO TRANSFER BALANCES FROM CERTAIN MUNICIPAL COURT FEES TO THE MUNICIPALITY'S GENERAL FUND.

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 six dollars ($6.00).

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.

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

(1) municipal jailer or juvenile detention
officer training;

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

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

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

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

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

(7) providing electronic monitoring systems.

E. If a municipality with a population less than
ten thousand according to the most recent federal decennial
census has a balance in its special fund pursuant to 
Subsection D of this section that is over the amount projected 
to be needed for the next fiscal year for the purposes set 
forth in that subsection, the municipality may transfer the 
unneeded balance to the municipality's general fund. 

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

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

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

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."

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2015.
DON TRIPP, SPEAKER
HOUSE OF REPRESENTATIVES

DENISE RAMONAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

JOHN A. SANCHEZ, PRESIDENT
SENATE

LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 8th day of April, 2015

SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO