The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 115

SENATE BILL 248, as amended

Introduced by

SENATOR MICHAEL S. SANCHEZ
CHAPTER 115

AN ACT

RELATING TO VETERANS; PROVIDING AN EXEMPTION FROM THE
IMPOSITION OF A SPECIAL BENEFIT ASSESSMENT FOR DISABLED
VETERANS.

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

SECTION 1. PROPERTY OWNED BY A DISABLED VETERAN IS
EXEMPT FROM A SPECIAL BENEFIT ASSESSMENT.--

A. Property owned by a disabled veteran, including
joint or community property of the veteran and the veteran's
spouse, is exempt from the imposition of a special benefit
assessment if the property is occupied by the disabled
veteran as the veteran's principal place of residence.

Property held in a grantor trust established under
Sections 671 through 677 of the Internal Revenue Code of
1986, as those sections may be amended or renumbered, by a
disabled veteran or the veteran's surviving spouse is also
exempt from the imposition of a special benefit assessment if
the property otherwise meets the requirements for exemption
in this subsection or Subsection B of this section.

B. The property of the surviving spouse of a
disabled veteran is exempt from the imposition of a special
benefit assessment if:

(1) the surviving spouse and the disabled
veteran were married at the time of the disabled veteran's

SB 248
Page 1
death;

(2) the surviving spouse continues to occupy
the property continuously after the disabled veteran's death
as the spouse's principal place of residence; and

(3) the surviving spouse has remained
unmarried since the time of the disabled veteran's death.

C. For purposes of this section:

(1) "disabled veteran" means an individual
who:

(a) has been honorably discharged from
membership in the armed forces of the United States or has
received a discharge certificate from a branch of the armed
forces of the United States for civilian service recognized
pursuant to federal law as service in the armed forces of the
United States; and

(b) has been determined pursuant to
federal law to have a one hundred percent permanent and total
service-connected disability;

(2) "honorably discharged" means discharged
from the armed forces pursuant to a discharge other than a
dishonorable or bad conduct discharge; and

(3) "special benefit assessment" means an
assessment or levy authorized by law for benefits, damages,
construction, improvements or maintenance on property that is
specially benefited by the benefits, damages, construction,
improvements or maintenance; and includes an assessment or levy authorized by The Conservancy Act of New Mexico, the Public Improvement District Act, the Tax Increment for Development Act and other similar laws outside the Property Tax Code.
John A. Sanchez, President
Senate

Lenore M. Naranjo, Chief Clerk
Senate

Don L. Tripp, Speaker
House of Representatives

Denise Ramonas, Chief Clerk
House of Representatives

Approved by me this 1st day of April, 2015

Susana Martinez
Governor Susana Martinez
State of New Mexico