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HOUSE BILL 141

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Henry Kiki Saavedra

ENDORSED BY THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO COURTS; CREATING ADDITIONAL JUDGESHIPS IN THE
FIRST, SECOND, FIFTH AND THIRTEENTH JUDICIAL DISTRICTS;
CREATING AN ADDITIONAL MAGISTRATE IN THE DONA ANA DISTRICT;
MAKING APPROPRIATIONS.

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

SECTION 1. Section 34-6-4 NMSA 1978 (being Laws 1968,
Chapter 69, Section 7, as amended) is amended to read:

"34-6-4. JUDGES--FIRST JUDICIAL DISTRICT.--There shall be
[~~eight~~] nine district judges in the first judicial district."

SECTION 2. Section 34-6-5 NMSA 1978 (being Laws 1968,
Chapter 69, Section 8, as amended) is amended to read:

"34-6-5. JUDGES--SECOND JUDICIAL DISTRICT.--There shall
be [~~twenty-six~~] twenty-seven district judges in the second
judicial district."

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underscoring material = new
[bracketed material] = delete

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[bracketed material] = delete

1 SECTION 3. Section 34-6-8 NMSA 1978 (being Laws 1968,
2 Chapter 69, Section 11, as amended) is amended to read:

3 "34-6-8. JUDGES--FIFTH JUDICIAL DISTRICT.--There shall be
4 [~~ten~~] eleven district judges in the fifth judicial district."

5 SECTION 4. Section 34-6-16 NMSA 1978 (being Laws 1971,
6 Chapter 52, Section 3, as amended) is amended to read:

7 "34-6-16. JUDGES--THIRTEENTH JUDICIAL DISTRICT.--There
8 shall be [~~seven~~] eight district judges in the thirteenth
9 judicial district. The judges of divisions one, three and six
10 shall reside and maintain their principal offices in Valencia
11 county. The judges of divisions two, five, [~~and~~] seven and
12 eight shall reside and maintain their principal offices in
13 Sandoval county. The judge of division four shall reside and
14 maintain the judge's principal offices in Cibola county."

15 SECTION 5. Section 35-1-10 NMSA 1978 (being Laws 1968,
16 Chapter 62, Section 12, as amended) is amended to read:

17 "35-1-10. MAGISTRATE COURT--DONA ANA DISTRICT.--There
18 shall be [~~six~~] seven magistrates in Dona Ana magistrate
19 district. Divisions 1, 2, 3, 4, 5, [~~and~~] 6 and 7 shall operate
20 as a single court in Las Cruces and shall rotate riding circuit
21 to Anthony and Hatch on a regularly scheduled basis."

22 SECTION 6. TEMPORARY PROVISION--DISTRICT AND METROPOLITAN
23 JUDGES--APPOINTMENTS.--The additional district judgeships
24 provided for in this act shall be filled by appointment by the
25 governor pursuant to the provisions of Article 6 of the

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underscored material = new
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1 constitution of New Mexico.

2 SECTION 7. TEMPORARY PROVISION--MAGISTRATE--APPOINTMENT
3 AND ELECTION.--The office of magistrate in Dona Ana district,
4 division 7, shall be filled by appointment by the governor.
5 The appointed magistrate shall begin serving on July 1, 2014
6 and shall serve until succeeded by a magistrate elected at the
7 general election in 2014. The first full term of office of the
8 elected magistrate shall begin on January 1, 2015.

9 SECTION 8. APPROPRIATIONS.--

10 A. The following amounts are appropriated from the
11 general fund to the following agencies for expenditure in
12 fiscal year 2015 for the following purposes:

13 (1) three hundred fifty-two thousand four
14 hundred eighty-four dollars (\$352,484) to the first judicial
15 district court for salaries and benefits and furniture,
16 supplies and equipment for one additional district judge and
17 support staff;

18 (2) three hundred sixty-seven thousand two
19 hundred seventy-four dollars (\$367,274) to the second judicial
20 district court for salaries and benefits and furniture,
21 supplies and equipment for one additional district judge and
22 support staff;

23 (3) two hundred thirty-four thousand three
24 hundred ninety-one dollars (\$234,391) to the fifth judicial
25 district court for salaries and benefits and furniture,

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underscoring material = new
~~[bracketed material] = delete~~

1 supplies and equipment for one additional district judge and
2 support staff;

3 (4) four hundred fifteen thousand six hundred
4 seventy dollars (\$415,670) to the thirteenth judicial district
5 court for salaries and benefits and furniture, supplies and
6 equipment for one additional district judge and support staff;
7 and

8 (5) one hundred seventeen thousand four
9 hundred fifty dollars (\$117,450) to the administrative office
10 of the courts for salary and benefits and furniture, supplies
11 and equipment for one additional magistrate in the Dona Ana
12 magistrate district.

13 B. Any unexpended or unencumbered balance remaining
14 at the end of fiscal year 2015 shall revert to the general
15 fund.

16 SECTION 9. EFFECTIVE DATE.--The effective date of the
17 provisions of this act is July 1, 2014.