

1 HOUSE BILL 520

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Matthew McQueen

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10 AN ACT

11 RELATING TO PROPERTY TAX; EXEMPTING CERTAIN SOLAR ENERGY  
12 SYSTEMS FROM PROPERTY TAX.

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

15 SECTION 1. Section 7-36-8 NMSA 1978 (being Laws 1973,  
16 Chapter 373, Section 1, as amended) is amended to read:

17 "7-36-8. TANGIBLE PERSONAL PROPERTY EXEMPT FROM PROPERTY  
18 TAX--EXCEPTIONS.--

19 A. Except as provided in Subsection B of this  
20 section, tangible personal property owned by a person is exempt  
21 from property taxation.

22 B. The following tangible personal property owned  
23 by a person is subject to valuation and taxation under the  
24 Property Tax Code:

25 (1) livestock;

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- 1 (2) manufactured homes;
- 2 (3) aircraft not registered under the Aircraft  
3 Registration Act;
- 4 (4) private railroad cars, the earnings of  
5 which are not taxed under the provisions of the Railroad Car  
6 Company Tax Act;
- 7 (5) tangible personal property subject to  
8 valuation under Sections 7-36-22 through 7-36-25 and 7-36-27  
9 through 7-36-32 NMSA 1978;
- 10 (6) vehicles not registered under the  
11 provisions of the Motor Vehicle Code and for which the owner  
12 has claimed a deduction for depreciation for federal income tax  
13 purposes during any federal income taxable year occurring in  
14 whole or in part during the twelve months immediately preceding  
15 the first day of the property tax year; and
- 16 (7) other tangible personal property not  
17 specified in Paragraphs (1) through (6) of this subsection,  
18 except a solar energy system:
- 19 (a) that is used, produced,  
20 manufactured, held for sale, leased or maintained by a person  
21 for purposes of the person's profession, business or  
22 occupation; and
- 23 (b) for which the owner has claimed a  
24 deduction for depreciation for federal income tax purposes  
25 during any federal income taxable year occurring in whole or in

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1 part during the twelve months immediately preceding the first  
2 day of the property tax year.

3 C. As used in this section, "solar energy system"  
4 means a device that:

5 (1) is installed on a residence with a floor  
6 area no larger than three thousand square feet;

7 (2) includes equipment that is part of a  
8 system designed and installed to use, collect, store or  
9 distribute solar energy to provide electricity, heat or heated  
10 water to a residence where the device or equipment is  
11 installed; and

12 (3) includes photovoltaic panels, solar  
13 thermal technology, energy storage equipment, mounting  
14 equipment, support structures, tracking equipment, monitoring  
15 equipment or other power conditioning equipment."

16 SECTION 2. APPLICABILITY.--The provisions of this act  
17 apply to the 2020 and subsequent property tax years.