City of Las Cruces®

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Council Action and Executive Summary

Item # 20 **Ordinance #** 2535 **Council District:** ___

For Meeting of September 21, 2009
(Adoption Date)

AN ORDINANCE AMENDING LAS CRUCES MUNICIPAL CODE, SECTION 1-11(a)(2), *COURT COST—COLLECTION; PURPOSE*, TO INCREASE THE JUDICIAL EDUCATION FEE FROM $2.00 TO $3.00, PURSUANT TO AMENDMENTS MADE BY THE 49th LEGISLATURE OF THE STATE OF NEW MEXICO, 2009, TO NEW MEXICO STATUTES ANNOTATED, SECTION 35-14-11, FOR ALL CASES FILED ON OR AFTER JULY 1, 2009; AND, TO AMEND THE FISCAL YEAR 2009/2010 BUDGET.

PURPOSE(S) OF ACTION: This ordinance amendment is presented so that the Municipal Court will be empowered to collect a Judicial Education Fee in the amount of $3.00 from every person convicted of a traffic offense or an offense that carries a potential jail term.

Name of Drafter: Monica Campbell		**Department:** Legal		**Phone:** 541-2128	
Department	**Signature**	**Phone**	**Department**	**Signature**	**Phone**
Originating Department			Budget		541-2107
			Assistant City Manager		541-2271
Legal		541-2128	City Manager		541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Pursuant to House Bill 263, the 49th Legislature of the State of New Mexico, 2009, adopted amendments to New Mexico Statutes Annotated 1978, Section 35-14-11, *Municipal ordinance; court costs; collection; purpose*, relating to the imposition of fees by Municipal Court. For all cases filed on or after July 1, 2009, an additional $1.00 Judicial Education Fee, for a total amount of $3.00, may be collected from every person convicted of a traffic offense or an offense that carries a potential jail term. The imposition of this additional $1.00 fee requires the City Council to adopt an amendment to Las Cruces Municipal Code 1997, Section 1-11(a)(2), *Court cost – collection; purpose*.

Once collected, the Judicial Education Fee is remitted to the State Treasurer and is used for education and training opportunities for Municipal Judges and staff.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
2490/214140150-722203 Judicial Education Fee Fund	$36,000.00	$36,000.00

1. Ordinance with Exhibit "A" attached ,at page 1.
2. Ordinance in legislative format, Exhibit "B", at page 1.
3. House Bill 263, "Attachment 1", at page 5.
4. Budget Adjustment Page, Exhibit "C".

OPTIONS / ALTERNATIVES:

1. Adopt the ordinance. Adoption means that the Municipal Court will be able to collect a $3.00 Judicial Education Fee (an increase of $1.00 over the current $2.00 fee) from every person convicted of a traffic offense or an offense that carries a potential jail term.
2. Do not adopt the ordinance. This means that the Municipal Court will not be authorized to collect the additional $1.00 and the Judicial Education Fee will remain at $2.00.
3. Modify the ordinance and provide further direction to staff.

(Continue on additional sheets as required)

COUNCIL BILL NO. 10-006
ORDINANCE NO. 2535

AN ORDINANCE AMENDING LAS CRUCES MUNICIPAL CODE, SECTION 1-11(a)(2), *COURT COST—COLLECTION; PURPOSE*, TO INCREASE THE JUDICIAL EDUCATION FEE FROM $2.00 TO $3.00, PURSUANT TO AMENDMENTS MADE BY THE 49th LEGISLATURE OF THE STATE OF NEW MEXICO, 2009, TO NEW MEXICO STATUTES ANNOTATED, SECTION 35-14-11, FOR ALL CASES FILED ON OR AFTER JULY 1, 2009; AND, TO AMEND THE FISCAL YEAR 2009/2010 BUDGET.

The City Council is informed that:

WHEREAS, pursuant to House Bill 263, the 49th Legislature of the State of New Mexico, 2009, adopted amendments to New Mexico Statutes Annotated 1978, Section 35-14-11, *Municipal ordinance; court costs; collection; purpose*; and

WHEREAS, the amendments include a provision that the Municipal Court may collect an additional $1.00 Judicial Education Fee, for a total amount of $3.00, from every person convicted of a traffic offense or an offense that carries a potential jail term, in all cases filed after July 1, 2009; and

WHEREAS, the imposition of the additional $1.00 fee requires the City Council to adopt an amendment to Las Cruces Municipal Code 1997 ("LCMC"), Section 1-11(a)(2), *Court cost – collection; purpose*.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAS CRUCES:

(I)

THAT LCMC 1997, Section 1-11(a)(2), *Court cost – collection; purpose* is hereby enacted to read as shown on **Exhibit "A"** attached hereto and made a part of this Ordinance.

(II)

THAT the City of Las Cruces Fiscal Year Budget 2009/2010 is hereby adjusted as reflected in **Exhibit "C"** attached hereto and made a part of this Ordinance.

(III)

THAT City staff is authorized to do all deeds necessary to accomplish the intent of this Ordinance.

DONE AND APPROVED on this _____ day of _____, 2009.

_____
Mayor

ATTEST:

_____
City Clerk

{SEAL}

Moved by: _____

Seconded by: _____

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Connor: _____
Councillor Archuleta: _____
Councillor Small: _____
Councillor Jones: _____
Councillor Thomas: _____

APPROVED AS TO FORM:

_____
City Attorney

Sec. 1-11. Court cost--Collection; purpose.

(a) Any person convicted of violating any municipal ordinance relating to the operation of a motor vehicle or any ordinance that may be enforced by the imposition of a term of imprisonment shall pay, in addition to any fine or other sentence the following fees:

(1) Correction fee $20.00

(2) Judicial education fee $3.00

(3) Court automation fee $10.00

(b) Any person convicted of any municipal ordinance relating to the operation of a motor vehicle shall pay, in addition to any fine or other sentence, and in addition to the fees listed in paragraphs (1)--(3) of subsection (a) of this section, the following fee:

Traffic safety fee $3.00

(c) Persons who are brought before the municipal court due to the issuance of a bench warrant for failure to pay fines and have not received amnesty through a program approved by the city council shall be assessed in addition to any fine or other sentence and addition to the fees listed in paragraphs (1)--(3) of subsection (a) and subsection (b) of section 1-11, the following fee:

Warrant enforcement fee $100.00

(d) All money collected pursuant to paragraph (1) of subsection (a) 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 costs 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 system.

(e) A municipality may credit the interest collected from fees deposited in the special fund pursuant to subsection (c) of this section to the municipality's general fund.

(f) All money collected pursuant to paragraph (2) of subsection (a) 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.

(g) Six dollars of the money collected pursuant to paragraph (3) of subsection (a) 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 and maintenance of court automation systems in the municipal courts. The court automation system shall have the capability of providing, on a timely basis, electronic records in a format specified by the judicial information systems council. Four dollars of the money collected pursuant to paragraph (3) of subsection (a) of this section shall be deposited in the municipal court automation fund. The fund shall be used to provide for the purchase of equipment and support services necessary to maintain municipal court.

(h) All money collected pursuant to subsection (b) of this section shall be deposited in the municipal traffic safety enforcement fund in the municipal treasury and shall be used only by the city police department. The fund shall be used to institute and promote the program of traffic safety through education and enforcement to reduce serious and fatal traffic accidents and to provide for the purchase of equipment and support services as are necessary to establish and maintain the program.

(i) All money collected pursuant to subsection (c) of this section shall be deposited in the municipal court warrant enforcement fund. All balances in the fund are appropriated to the city for the primary purpose of employing personnel and purchasing equipment and services to aid in the collection of fines, fees and costs owed to the municipal court. After satisfaction of the primary purpose any money remaining in the fund may be used for the secondary purpose of partially reimbursing law enforcement agencies for the expense of serving bench warrants issued by the municipal court.

(j) 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.

Sec. 1-11. Court cost--Collection; purpose.

(a) Any person convicted of violating any municipal ordinance relating to the operation of a motor vehicle or any ordinance that may be enforced by the imposition of a term of imprisonment shall pay, in addition to any fine or other sentence the following fees:

(1) Correction fee $20.00

(2) Judicial education fee . . . . . ~~$2.00~~3.00

(3) Court automation fee $10.00

(b) Any person convicted of any municipal ordinance relating to the operation of a motor vehicle shall pay, in addition to any fine or other sentence, and in addition to the fees listed in paragraphs (1)--(3) of subsection (a) of this section, the following fee:

Traffic safety fee $3.00

(c) Persons who are brought before the municipal court due to the issuance of a bench warrant for failure to pay fines and have not received amnesty through a program approved by the city council shall be assessed in addition to any fine or other sentence and addition to the fees listed in paragraphs (1)--(3) of subsection (a) and subsection (b) of section 1-11, the following fee:

Warrant enforcement fee $100.00

(d) All money collected pursuant to paragraph (1) of subsection (a) 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 costs 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 system.

(e) A municipality may credit the interest collected from fees deposited in the special fund pursuant to subsection (c) of this section to the municipality's general fund.

(f) All money collected pursuant to paragraph (2) of subsection (a) 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.

(g) Six dollars of the money collected pursuant to paragraph (3) of subsection (a) 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 and maintenance of court automation systems in the municipal courts. The court automation system shall have the capability of providing, on a timely basis, electronic records in a format specified by the judicial information systems council. Four dollars of the money collected pursuant to paragraph (3) of subsection (a) of this section shall be deposited in the municipal court automation fund. The fund shall be used to provide for the purchase of equipment and support services necessary to maintain municipal court.

(h) All money collected pursuant to subsection (b) of this section shall be deposited in the municipal traffic safety enforcement fund in the municipal treasury and shall be used only by the city police department. The fund shall be used to institute and promote the program of traffic safety through education and enforcement to reduce serious and fatal traffic accidents and to provide for the purchase of equipment and support services as are necessary to establish and maintain the program.

(i) All money collected pursuant to subsection (c) of this section shall be deposited in the municipal court warrant enforcement fund. All balances in the fund are appropriated to the city for the primary purpose of employing personnel and purchasing equipment and services to aid in the collection of fines, fees and costs owed to the municipal court. After satisfaction of the primary purpose any money remaining in the fund may be used for the secondary purpose of partially reimbursing law enforcement agencies for the expense of serving bench warrants issued by the municipal court.

(j) 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.

(Ord. No. 2011, §§ I, III, 7-7-03; Ord. No. 2171, § I, 2-22-05)

Editors Note: Ord. No. 2011, §§ I, III, adopted July 7, 2003, repealed section 1-11 in its entirety and replaced it with a new section 1-11. Former section 1-11 pertained to imposition of a corrections fee for certain violations, and derived from the Code of 1988, § 1-10.1.

AN ACT

RELATING TO COURTS; INCREASING THE COURT AUTOMATION FEE IN CIVIL CASES FILED IN THE DISTRICT AND MAGISTRATE COURTS; PROVIDING FOR A JURY AND WITNESS FEE; INCREASING THE JUDICIAL EDUCATION FEE.

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

Section 1. Section 34-6-40 NMSA 1978 (being Laws 1968, Chapter 69, Section 42, as amended by Laws 2001, Chapter 277, Section 1 and by Laws 2001, Chapter 279, Section 1) is amended to read:

"34-6-40. FINANCE--FEES.--

A. Except as provided in Subsection B of this section, district court clerks shall collect in civil matters docketing any cause, whether original or reopened or by appeal or transfer from any inferior court, a fee of one hundred seventeen dollars ($117), twenty dollars ($20.00) of which shall be deposited in the court automation fund and twenty-five dollars ($25.00) of which shall be deposited in the civil legal services fund.

B. In those matters where the fee provided for in Section 40-12-6 NMSA 1978 is collected, district court clerks shall collect a fee of one hundred seven dollars ($107), ten dollars ($10.00) of which shall be deposited in the court automation fund and twenty-five dollars ($25.00) of which

shall be deposited in the civil legal services fund.

C. No fees or costs shall be taxed against the state, its political subdivisions or the nonprofit corporations authorized to be formed under the Educational Assistance Act.

D. Except as otherwise specifically provided by law, docket fees shall be paid into the general fund."

Section 2. Section 35-6-1 NMSA 1978 (being Laws 1968, Chapter 62, Section 92, as amended) is amended to read:

"35-6-1. MAGISTRATE COSTS--SCHEDULE--DEFINITION OF "CONVICTED".--

A. Magistrate judges, including metropolitan court judges, shall assess and collect and shall not waive, defer or suspend the following costs:

docket fee, criminal actions under Section 29-5-1 NMSA 1978 . . . . . $ 1.00;

docket fee, to be collected prior to docketing any other criminal action, except as provided in Subsection B of Section 35-6-3 NMSA 1978 . . . . . 20.00. Proceeds from this docket fee shall be transferred to the administrative office of the courts for deposit in the court facilities fund;

docket fee, twenty dollars ($20.00) of which shall be deposited in the court automation fund and fifteen dollars ($15.00) of which shall be deposited in the

civil legal services fund, to be collected prior to docketing any civil action,

except as provided in Subsection A of Section 35-6-3 NMSA 1978 . . . . . 72.00;

jury fee, to be collected from the party demanding trial by jury in any civil action at the time the demand is filed or made 25.00;

copying fee, for making and certifying copies of any records in the court, for each page copied by photographic process . . . . . 50. Proceeds from this copying fee shall be transferred to the administrative office of the courts for deposit in the court facilities fund; and

copying fee, for computer-generated or electronically transferred copies, per page . . . . . 1.00. Proceeds from this copying fee shall be transferred to the administrative office of the courts for deposit in the court automation fund.

Except as otherwise specifically provided by law, docket fees shall be paid into the court facilities fund.

B. Except as otherwise provided by law, no other costs or fees shall be charged or collected in the magistrate or metropolitan court.

C. The magistrate or metropolitan court may grant free process to any party in any civil proceeding or special

statutory proceeding upon a proper showing of indigency. The magistrate or metropolitan court may deny free process if it finds that the complaint on its face does not state a cause of action.

D. As used in this subsection, "convicted" means the defendant has been found guilty of a criminal charge by the magistrate or metropolitan judge, either after trial, a plea of guilty or a plea of nolo contendere. Magistrate judges, including metropolitan court judges, shall assess and collect and shall not waive, defer or suspend the following costs:

(1) corrections fee, to be collected upon conviction from persons convicted of violating any provision of the Motor Vehicle Code involving the operation of a motor vehicle, convicted of a crime constituting a misdemeanor or a petty misdemeanor or convicted of violating any ordinance that may be enforced by the imposition of a term of imprisonment as follows:

in a county with a metropolitan court $10.00;

in a county without a metropolitan court 20.00;

(2) court automation fee, to be collected upon conviction from persons convicted of violating any provision of the Motor Vehicle Code involving the operation of a motor vehicle, convicted of a crime constituting a misdemeanor or a petty misdemeanor or convicted of violating any ordinance that may be enforced by the imposition of a term of

imprisonment 10.00;

(3) traffic safety fee, to be collected upon conviction from persons convicted of violating any provision of the Motor Vehicle Code involving the operation of a motor vehicle 3.00;

(4) judicial education fee, to be collected upon conviction from persons convicted of operating a motor vehicle in violation of the Motor Vehicle Code, convicted of a crime constituting a misdemeanor or a petty misdemeanor or convicted of violating any ordinance punishable by a term of imprisonment 3.00;

(5) jury and witness fee, to be collected upon conviction from persons convicted of operating a motor vehicle in violation of the Motor Vehicle Code, convicted of a crime constituting a misdemeanor or a petty misdemeanor or convicted of violating any ordinance punishable by a term of imprisonment 5.00;

(6) brain injury services fee, to be collected upon conviction from persons convicted of violating any provision of the Motor Vehicle Code involving the operation of a motor vehicle . . . . . 5.00; and

(7) court facilities fee, to be collected upon conviction from persons convicted of violating any provision of the Motor Vehicle Code involving the operation of a motor

vehicle, convicted of a crime constituting a misdemeanor or a petty misdemeanor or convicted of violating any ordinance that may be enforced by the imposition of a term of imprisonment as follows:

in a county with a metropolitan court 24.00;

in any other county . . . . . 10.00.

E. Metropolitan court judges shall assess and collect and shall not waive, defer or suspend as costs a mediation fee not to exceed five dollars ($5.00) for the docketing of small claims and criminal actions specified by metropolitan court rule. Proceeds of the mediation fee shall be deposited into the metropolitan court mediation fund."

Section 3. Section 35-7-4 NMSA 1978 (being Laws 1968, Chapter 62, Section 99, as amended) is amended to read:

"35-7-4. MAGISTRATE ADMINISTRATION--MONTHLY REMITTANCES.--Each magistrate court shall pay to the administrative office of the courts, not later than the date each month established by regulation of the director of the administrative office, the amount of all fines, forfeitures and costs collected by the court during the previous month, except for amounts disbursed in accordance with law. The administrative office shall return to each magistrate court a written receipt itemizing all money received. The administrative office shall deposit the amount of all fines and forfeitures with the state treasurer for credit to the

current school fund. The administrative office shall deposit the amount of all costs, except all costs collected pursuant to Subsections D and E of Section 35-6-1 NMSA 1978, for credit to the general fund. The amount of all costs collected pursuant to Subsections D and E of Section 35-6-1 NMSA 1978 shall be credited as follows:

A. the amount of all costs collected pursuant to Paragraph (1) of Subsection D of Section 35-6-1 NMSA 1978 for credit to the local government corrections fund;

B. the amount of all costs collected pursuant to Paragraph (2) of Subsection D of Section 35-6-1 NMSA 1978 for credit to the court automation fund;

C. the amount of all costs collected pursuant to Paragraph (3) of Subsection D of Section 35-6-1 NMSA 1978 for credit to the traffic safety education and enforcement fund;

D. the amount of all costs collected pursuant to Paragraph (4) of Subsection D of Section 35-6-1 NMSA 1978 for credit to the judicial education fund;

E. the amount of all costs collected pursuant to Paragraph (5) of Subsection D of Section 35-6-1 NMSA 1978 for credit to the jury and witness fee fund;

F. the amount of all costs collected pursuant to Paragraph (6) of Subsection D of Section 35-6-1 NMSA 1978 for credit to the brain injury services fund;

G. the amount of all costs collected pursuant to

Paragraph (7) of Subsection D of Section 35-6-1 NMSA 1978 for credit to the court facilities fund; and

H. the amount of all costs collected pursuant to Subsection E of Section 35-6-1 NMSA 1978 for credit to the metropolitan court mediation fund."

Section 4. 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. 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.

F. 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.

G. 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.

H. 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 5. Section 66-8-116.3 NMSA 1978 (being Laws 1989, Chapter 318, Section 35, Laws 1989, Chapter 319, Section 14 and Laws 1989, Chapter 320, Section 5, as amended) is amended to read:

"66-8-116.3. PENALTY ASSESSMENT MISDEMEANORS--ADDITIONAL FEES.--In addition to the penalty assessment established for

each penalty assessment misdemeanor, there shall be assessed:

A. in a county without a metropolitan court, twenty dollars ($20.00) to help defray the costs of local government corrections;

B. a court automation fee of ten dollars ($10.00);

C. a traffic safety fee of three dollars ($3.00), which shall be credited to the traffic safety education and enforcement fund;

D. a judicial education fee of three dollars ($3.00), which shall be credited to the judicial education fund;

E. a jury and witness fee of five dollars ($5.00), which shall be credited to the jury and witness fee fund;

F. a brain injury services fee of five dollars ($5.00), which shall be credited to the brain injury services fund; and

G. a court facilities fee as follows:

in a county with a metropolitan court $24.00;

in any other county . . . . . 10.00."

Section 6. Section 66-8-119 NMSA 1978 (being Laws 1968, Chapter 62, Section 159, as amended) is amended to read:

"66-8-119. PENALTY ASSESSMENT REVENUE--DISPOSITION.--

A. The division shall remit all penalty assessment receipts, except receipts collected pursuant to Subsections A through G of Section 66-8-116.3 NMSA 1978, to the state

treasurer for credit to the general fund.

B. The division shall remit all penalty assessment fee receipts collected pursuant to:

(1) Subsection A of Section 66-8-116.3 NMSA 1978 to the state treasurer for credit to the local government corrections fund;

(2) Subsection B of Section 66-8-116.3 NMSA 1978 to the state treasurer for credit to the court automation fund;

(3) Subsection C of Section 66-8-116.3 NMSA 1978 to the state treasurer for credit to the traffic safety education and enforcement fund;

(4) Subsection D of Section 66-8-116.3 NMSA 1978 to the state treasurer for credit to the judicial education fund;

(5) Subsection E of Section 66-8-116.3 NMSA 1978 to the state treasurer for credit to the jury and witness fee fund;

(6) Subsection F of Section 66-8-116.3 NMSA 1978 to the state treasurer for credit to the brain injury services fund; and

(7) Subsection G of Section 66-8-116.3 NMSA 1978 to the state treasurer for credit to the court facilities fund."

Section 7. EFFECTIVE DATE.--The effective date of the

provisions of this act is July 1, 2009.

EXHIBIT "C"

CITY OF LAS CRUCES
ADOPTED BUDGET FY 2009/2010

FUND	DIVISION		FUND TYPE	
Judicial Education Fees Fund 2490	Judicial		Special Revenue	
	FY 2008/09 Projected*	FY 2009/10 Adopted	Adjustment	FY 2009/10 Adjusted
RESOURCES				
Beginning Balance	$ (3,275)	0		0
REVENUES				
24140140-532019 Judicial Education Fee	$ 23,000	24,000	12,000	36,000
Total Revenues	$ 23,000	24,000	12,000	36,000
Total Resources	$ 19,725	24,000	12,000	36,000
EXPENDITURES				
24140150-722203 Judicial Education Fees	$ 19,725	24,000	12,000	36,000
Total Expenditures	$ 19,725	24,000	12,000	36,000
ENDING BALANCE	$ 0	0	0	0

*Projected based on 8 months actual through February 28, 2009 and 4 months projected.