

<b>LFC Requester:</b>	
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**AGENCY BILL ANALYSIS  
2017 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)

*and*

[DFA@STATE.NM.US](mailto:DFA@STATE.NM.US)

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Check all that apply: Date 1-16-17  
**Original**     **Amendment**        **Bill No:** HB12  
**Correction**     **Substitute**   

**Sponsor:** Christine Trujillo    **Agency Code:** 264  
**Short**    Close Certain Taos    **Person Writing**    Gail MacQuesten  
**Title:**    Magistrate Courts    **Phone:** 466-0532    **Email** gailmacquesten@gmail.com

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		
0	0	n/a	n/a

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY17	FY18	FY19		
0	0	0	n/a	n/a

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	(unknown)	(unknown)	(unknown)	(unknown)	Recurring	General

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

HB12 amends NMSA 1978, Section 35-1-5, to eliminate the requirement that the magistrate in the Catron district ride circuit to Quemado on a regularly scheduled basis.

HB12 amends NMSA 1978, Section 35-1-32, to eliminate the requirement that the magistrates in the Taos district rotate riding circuit to Questa on a regularly scheduled basis.

**FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

Eliminating the magistrate courts in Quemado and Questa will reduce costs for the courts, and for the district attorneys who represent the state in proceedings in those courts.

**SIGNIFICANT ISSUES**

New Mexico's statutes on magistrate and municipal courts, NMSA 1978, Section 35-1-5 *et seq.*, contain requirements for each magistrate court describing the location of the principal court, and requiring the magistrate to hold court in an additional location or locations on a regularly scheduled basis. HB12 amends the statutes applying to the Catron district and the Taos district to remove the requirement for an additional court location.

**PERFORMANCE IMPLICATIONS**

The magistrates in Catron and Taos will not have to hold court in other locations. Litigants will have to appear in the principal court in their district.

**ADMINISTRATIVE IMPLICATIONS**

The magistrates in Catron and Taos will not have to travel. District attorneys who appear in magistrate court will not have to travel.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None found.

### **TECHNICAL ISSUES**

None noted.

### **OTHER SUBSTANTIVE ISSUES**

None noted.

### **ALTERNATIVES**

None proposed.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The magistrate in Catron will continue to ride circuit to Quemado, and the magistrates in Taos will continue to rotate riding circuit to Questa.

### **AMENDMENTS**

None proposed.