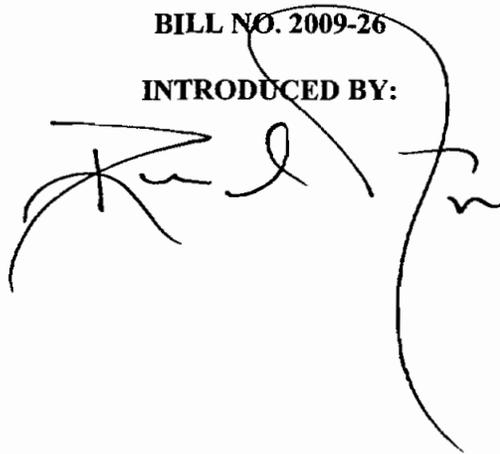


CITY OF SANTA FE, NEW MEXICO

BILL NO. 2009-26

INTRODUCED BY:

A handwritten signature in black ink, appearing to be "Karl", written over the text "INTRODUCED BY:".

AN ORDINANCE

AMENDING SECTION 1-3.2 SFCC 1987 TO INCREASE THE JUDICIAL EDUCATION FEE FROM \$2.00 TO \$3.00 TO REFLECT STATE LAW; DESIGNATING THE USE OF THE CORRECTIONS FEE TO REFLECT STATE LAW; AND REPLACING THE TRAFFIC SAFETY FEE OF ONE DOLLAR (\$1.00) WITH A PUBLIC SAFETY FEE OF FIVE DOLLARS (\$5.00) WITH THE USE OF SUCH PUBLIC SAFETY FEE BEING DESIGNATED TO THE POLICE DEPARTMENT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Section 1-3.2 SFCC 1987 (being Ord. #2005-7, §1 as amended) is amended to read:

1-3.2 Imposition of Municipal Court Fees.

A. The city hereby imposes the following fees which shall be collected by the municipal court ~~[whenever someone is convicted by the court for a violation of this code]~~ upon conviction from persons convicted of violating any ordinance relating to the operation of a motor vehicle, except those related to parking, or any ordinance that may be enforced by the imposition

1 of a term of imprisonment:[;]

- 2 (1) Corrections fee \$20.00
- 3 (2) Judicial education fee [~~\$2.00~~] \$3.00
- 4 (3) Court automation fee \$6.00
- 5 (4) Court administrative fee \$10.00
- 6 (5) In-house automation fee \$2.00
- 7 (6) Public safety fee \$5.00

8 B. ~~[The city hereby imposes a traffic safety fee of one dollar (\$1.00) which shall be~~
9 ~~collected by the municipal court whenever someone is convicted by the court for a violation of~~
10 ~~Chapter XXIV.] As used in this Section, convicted means the defendant has been found guilty of~~
11 ~~a criminal charge by the municipal judge, either after trial, a plea of guilty or a plea of nolo~~
12 ~~contendere.~~

13 C. The corrections fee[;] shall be deposited in a special city fund and shall be used
14 for the uses set forth in this paragraph. The city may credit the interest collected from the
15 correction fees deposited in the special fund to the city's general fund.

- 16 (1) Municipal jailer or juvenile detention officer training;
- 17 (2) The construction planning, construction, operation and maintenance of a
18 municipal jail or juvenile detention facility;
- 19 (3) Paying the cost of housing municipal prisoners in a county jail or
20 detention facility or housing juveniles in a detention facility;
- 21 (4) Complying with match or contribution requirements for the receipt of
22 federal funds relating to jails or juvenile detention facilities;
- 23 (5) Providing inpatient treatment or other substance abuse programs in
24 conjunction with or as an alternative to jail sentencing;
- 25 (6) Defraying the cost of transporting prisoners to jails or juveniles to

1 juvenile detention facilities; or

2 (7) Providing electronic monitoring systems.

3 D. The judicial education fee and the court automation fee shall be remitted to the
4 state according to the applicable state law.

5 E. The court administrative fee shall be retained by the city for the municipal court.

6 F. The in-house automation fee shall be retained by the city and used for in-house
7 automation systems in the municipal court.

8 G. ~~[The traffic safety fee shall be retained by the city and used for tracking statistics~~
9 ~~for traffic related grants at the police department.]~~ The public safety fee shall be retained by the
10 city for use by the police department.

11 ~~[D.]~~H. Five dollars (\$5.00) out of the ten dollar (\$10.00) administrative fee shall be
12 specifically earmarked for alternative sentencing programs at the municipal court. If the amount
13 collected under this paragraph is more than is needed for this program, there shall be an
14 alternative place to put the money.

15 ~~[E.]~~I. A person convicted of a violation of the provisions of the Controlled Substances
16 Act [30-31-1 NMSA 1978] or a person convicted of distribution or possession of a controlled
17 substance pursuant to Article 16-15 SFCC 1987 shall be assessed, in addition to any other fee or
18 fine, a fee of seventy-five dollars (\$75.00) to defray the costs of chemical and other analyses of
19 controlled substances. Collection of such fees shall be transmitted to the administrative office of
20 the courts pursuant to §31-12-9 NMSA 1978.

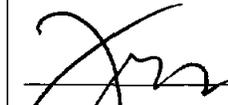
21 ~~[F.]~~J. Upon issuance of a bench warrant, the municipal court shall assess an
22 administrative fee of one hundred dollars (\$100.00) against the individual whose arrest is
23 commanded by the bench warrant. Money collected pursuant to the bench warrant fee assessment
24 authorized by this subsection shall be deposited in the general fund of the city of Santa Fe.

25 Editor's Note: For state law authorizing city to impose fines, punishment or both, see §35-14-11

1 NMSA 1978.

2 **Section 2. Effective Date.** The effective date of this Ordinance shall be July 1, 2009.

3 APPROVED AS TO FORM:

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6 FRANK D. KATZ, CITY ATTORNEY

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25 Jp/ca/jpmb/2009 bills/court fees