

1 **CITY OF SANTA FE, NEW MEXICO**

2 **BILL NO. 2011-4**

3 **INTRODUCED BY:**

4 **Councilor Trujillo**

5
6
7
8
9
10 **AN ORDINANCE**

11 **AMENDING SECTION 1-3.2 SFCC 1987 REGARDING THE DISTRIBUTION OF**
12 **MUNICIPAL COURT FEES.**

13
14 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

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

17 **1-3.2 Imposition of Municipal Court Fees.**

18 **A.** The city hereby imposes the following fees which shall be collected by the
19 municipal court upon conviction from persons convicted of violating any ordinance relating to the
20 operation of a motor vehicle, except those related to parking, or any ordinance that may be
21 enforced by the imposition of a term of imprisonment:

- 22 (1) Corrections fee \$30.00
23 (2) Judicial education fee \$3.00
24 (3) Court automation fee \$6.00
25 (4) Court administrative fee \$10.00

1 (5) In-house automation fee \$2.00

2 (6) Public safety fee \$5.00

3 B. As used in this section, convicted means the defendant has been found guilty of a
4 criminal charge by the municipal judge, either after trial, a plea of guilty or a plea of nolo contendere.

5 C. The corrections fee shall be deposited in a special city fund and shall be used for
6 the uses set forth in this paragraph. [~~Twenty dollars (\$20.00)~~] Upon deposit of any corrections
7 fees into the special city fund, regardless of the time of imposition of any corrections fee, two-
8 thirds (2/3) of the corrections fee shall be used for housing municipal prisoners in a county jail or
9 detention facility or housing juveniles in a detention facility and [~~ten dollars (\$10.00)~~] one-third
10 (1/3) of the corrections fee shall be transferred into the city's general fund [~~and used~~] for the court
11 related purposes set forth below.

12 (1) Municipal jailer or juvenile detention officer training;

13 (2) The construction planning, construction, operation and maintenance of a
14 municipal jail or juvenile detention facility;

15 (3) Complying with match or contribution requirements for the receipt of
16 federal funds relating to jails or juvenile detention facilities;

17 (4) Providing inpatient treatment or other substance abuse programs in
18 conjunction with or as an alternative to jail sentencing;

19 (5) Defraying the cost of transporting prisoners to jails or juveniles to
20 juvenile detention facilities; or

21 (6) Providing electronic monitoring systems.

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

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

25 F. The in-house automation fee shall be retained by the city and used for in-house

1 automation systems in the municipal court.

2 G. The public safety fee shall be retained by the city for use by the police department.

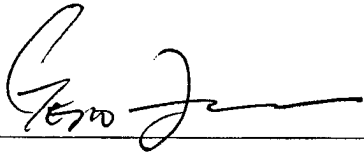
3 H. Five dollars (\$5.00) out of the ten dollar (\$10.00) administrative fee shall be
4 specifically earmarked for alternative sentencing programs at the municipal court. If the amount
5 collected under this paragraph is more than is needed for this program, the funds may be used for
6 other court programs or costs.

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

13 J. A person convicted of driving while under the influence of intoxicating liquor or
14 drugs in violation of Section 12-6-12.2 of the *City of Santa Fe Uniform Traffic Code* shall be
15 assessed by the court, in addition to any other fee or fine, the fees as set forth in said section.

16 K. Upon issuance of a bench warrant, the municipal court shall assess an
17 administrative fee of one hundred dollars (\$100.) against the individual whose arrest is
18 commanded by the bench warrant. Money collected pursuant to the bench warrant fee assessment
19 authorized by this subsection shall be deposited in the general fund of the city of Santa Fe.

20 APPROVED AS TO FORM:

21 
22 _____

23 GENO ZAMORA, CITY ATTORNEY