

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2011-6

3
4
5 AN ORDINANCE

6 AMENDING SECTION 1-3.2 SFCC 1987 REGARDING THE DISTRIBUTION OF
7 MUNICIPAL COURT FEES.

8
9 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

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

12 1-3.2 Imposition of Municipal Court Fees.

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

- | | | | |
|----|-----|--------------------------|---------|
| 17 | (1) | Corrections fee | \$30.00 |
| 18 | (2) | Judicial education fee | \$3.00 |
| 19 | (3) | Court automation fee | \$6.00 |
| 20 | (4) | Court administrative fee | \$10.00 |
| 21 | (5) | In-house automation fee | \$2.00 |
| 22 | (6) | Public safety fee | \$5.00 |

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

25 C. The corrections fee shall be deposited in a special city fund and shall be used for

1 the uses set forth in this paragraph. Upon deposit of any corrections fees into the special city
2 fund, regardless of the time of imposition of any corrections fee, two-thirds (2/3) of the
3 corrections fee shall be used for housing municipal prisoners in a county jail or detention facility
4 or housing juveniles in a detention facility and one-third (1/3) of the corrections fee shall be
5 transferred into the city's general fund for the court related purposes set forth below.

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

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

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

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

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

15 (6) Providing electronic monitoring systems.

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

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

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

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

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

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

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

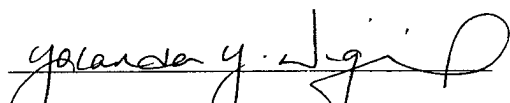
10 K. Upon issuance of a bench warrant, the municipal court shall assess an
11 administrative fee of one hundred dollars (\$100.) against the individual whose arrest is
12 commanded by the bench warrant. Money collected pursuant to the bench warrant fee assessment
13 authorized by this subsection shall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

14 PASSED, APPROVED and ADOPTED this 9th day of March, 2011.

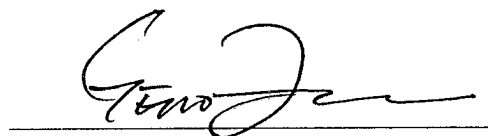
15
16 

17 DAVID COSS, MAYOR

18 ATTEST:

19 
20 YOLANDA Y. VIGIL, CITY CLERK

21 APPROVED AS TO FORM:

22 

23
24 GENO ZAMORA, CITY ATTORNEY

25 Jp/ca/jpmb/2011 bills/court fees