

LFC Requester:	Laird Graeser
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**AGENCY BILL ANALYSIS
2015 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

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 January 12, 2015
Original **Amendment** **Bill No:** HB 67-305
Correction **Substitute**

Sponsor: Rep. Jim Trujillo **Agency Code:** Attorney General's Office
Short Property Tax Schedule Change **Person Writing** Abby Sullivan Engen, AAG
Title: Requests **Phone:** 827-6709 **Email** aengen@nmag.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

BILL SUMMARY

Synopsis:

House Bill 67 amends NMSA 1978, Sections 7-38-77 and 7-38-78 to expand the grounds for which a property owner may request a change to a property tax schedule. In addition to a number of non-substantive revisions (such as the substitution of gender-neutral language), the amendments effect two main changes:

First, the bill amends current law to allow for changes to a property tax schedule to correct certain “obvious errors,” whereas the current version covers only “obvious clerical errors.” The term “obvious errors” is defined so as to exclude “errors in the method used to determine the valuation for, or a difference of opinion in the value of, the property subject to property taxation.”

Second, the bill adds specific grounds for which property owners may request changes to their tax schedules: (1) to correct the description of the property, even if the correction results in a change to the amount due; (2) to correct data entry errors on the part of the county assessor; and (3) to correct the application of exemptions. If a legal action challenging a tax schedule raises either of the latter two of these grounds, it must add the county assessor as a defendant.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

The amendments do not appear to pose any legal problems, but it should be noted that they expand potential grounds to impose legal liability upon county assessor’s offices.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A