

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 135 amends Sections 7-1-31 and 7-1-32 NMSA 1978 to allow for the collection of delinquent property taxes by electronic warrant of levy. Aside from a number of non-substantive revisions (such as the substitution of gender-neutral language), the amendments effect one primary change and two minor changes:

First, the bill amends current law to allow for service of a warrant of levy in electronic format on a financial institution. (The current version is silent as to financial institutions.) Under the proposed amended version, a warrant of levy may be served on a financial institution as long as it complies with the Electronic Authentication of Documents Act and the Uniform Electronic Transactions Act.

In addition, the amendments contain the following minor changes to current law: (1) whereas current law requires “the secretary or secretary’s delegate or any sheriff” to serve warrants of levy, the amendments expand this list to include a “certified law enforcement employee of the department of public safety”; and (2) the amendments allow for a warrant of levy (other than one served on a financial institution pursuant to the Electronic Authentication of Documents Act and the Uniform Electronic Transactions Act) to be signed electronically.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

As the primary effect of these proposed amendments is to allow certain aspects of an already existing process to be effected electronically, the amendments do not substantially change existing law nor do they appear to pose any legal problems.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A