

TOWN OF BERNALILLO  
ORDINANCE NO. 180, 2003

AN ORDINANCE

AMENDING THE MANDATORY CORRECTIONS FEE UPON CONVICTION OF VIOLATING CERTAIN MUNICIPAL ORDINANCES; AMENDING THE MANDATORY JUDICIAL EDUCATION FEE UPON CONVICTION OF VIOLATING CERTAIN MUNICIPAL ORDINANCES AND EXPANDING THE USES OF THE CORRECTIONS FEE FOR MUNICIPAL COURTS AND ALLOWING THE MUNICIPALITY TO CREDIT INTEREST EARNED ON THE CORRECTIONS FUND TO ITS GENERAL FUND.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF BERNALILLO:

**SECTION ONE:**

A municipal judge shall collect the following costs:

- (1) a corrections fee of **twenty dollars (\$20.00)**;
- (2) a judicial education fee of **two dollars (\$2.00)**; and
- (3) a court automation fee of six (\$6.00)

**SECTION TWO:**

The fees are to be collected upon conviction from persons convicted of violating any ordinance relating to the operation of a motor vehicle or any ordinance that may be enforced by the imposition of a term of imprisonment.

**SECTION THREE:**

All money collected pursuant to Paragraph (1) of Section One of this ordinance shall be deposited in a special fund in the municipal treasury and shall be used for:

- (1) municipal jailer or juvenile detention officer training;
- (2) the construction planning, construction, operation and maintenance of a municipal jail or juvenile detention facility;
- (3) paying the cost of housing municipal prisoners in a county jail or detention facility or housing juveniles in a detention facility;
- (4) complying with match or contribution requirements for the receipt of federal funds relating to jails or juvenile detention facilities;
- (5) providing inpatient treatment or other substance abuse programs in conjunction with or as an alternative to jail sentencing;**
- (6) defraying the cost of transporting prisoners to jails or juveniles to juvenile detention facilities; or**
- (7) providing electronic monitoring system.**

**SECTION FOUR:**

**A municipality may credit the interest collected from fees deposited in the special fund pursuant to Section Three of this ordinance to the municipality's general fund.**

**SECTION FIVE:**

All money collected pursuant to Paragraph (2) of Section One of this ordinance shall be remitted monthly to the state treasurer for credit to the judicial education fund and shall be used for the education and training, including production of bench books and other written materials, of municipal judges and other municipal court employees.

**SECTION SIX:**

All money collected pursuant to Paragraph (3) of Section One of this ordinance shall be remitted monthly to the state treasurer for credit to the municipal court automation fund and shall be used for the purchase and maintenance of court automation systems in the municipal courts. The court automation systems shall have the capability of providing, on a timely basis, electronic records in a format specified by the judicial information systems council.

**SECTION SEVEN:**

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

**SECTION EIGHT:**

Repealer. All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency.

PASSED AND ADOPTED THIS 14<sup>TH</sup> DAY OF JULY 2003.

  
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Charles J. Aguilar, Mayor

ATTEST:

  
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Acting Town Clerk