

ORDINANCE N^o. 2224-2024

AN ORDINANCE RELATING MUNICIPAL COURT FEES, AMENDING CITY CODE CHAPTER 10.20 AND DELETING CODE SECTION 10.22.010

BE IT ORDAINED by the governing body, that is, the City Commission of the City of Clovis, New Mexico:

SECTION ONE. RECITALS: Following the 2023 Legislative Session, House Bill 139 was signed into law with various effective dates. House Bill 139 eliminates a number of statutorily prescribed Municipal Court fees effective July 1, 2024, but allows home rule municipalities to pass ordinances codifying said fees into their respective municipal code. Accordingly, the City of Clovis, to avoid losing revenue, would like to amend Chapter 10.20 of the Clovis City Code to codify the Municipal Court fees eliminated by the passage of House Bill 139, and delete Section 10.22.101.

SECTION TWO. AMENDMENT OF EXISTING CODE SECTION. The following sections of City Code are hereby amended to read as follows:

10.20.040 - Penalty assessment misdemeanors—Additional Clovis Municipal Court fees.

A. A Clovis Municipal Court traffic safety fee of ten dollars which shall be credited to the municipal traffic safety education and enforcement fund. All moneys collected pursuant this section shall be deposited in the municipal traffic safety enforcement fund in the municipal treasury and shall be used only by the Clovis Police Department. The funds shall be used to institute and promote traffic safety.

10.24.010 - Imposed.

Any person convicted of violating a nontraffic ordinance relating to a crime constituting a misdemeanor or petty misdemeanor or violating any ordinance which may be enforced by the imposition of a term of imprisonment, shall pay a correction fee of twenty dollars to Clovis Municipal Court, which fee shall be collected as a court cost.

10.24.020 – Clovis Municipal Court Special treasury fund.

All correction fees collected by the Clovis Municipal Court pursuant to this chapter shall be deposited in a special fund in the municipal treasury and shall be used to pay the cost of housing municipal prisoners in any detention facility in the state or complying with match or contribution requirements for the receipt of federal funds relating to jails.

10.25.010 – Clovis Municipal Court warrant fee.

Upon the issuance of a municipal court bench warrant, the Clovis Municipal Court shall assess a fee of one hundred dollars against the individual whose arrest is commanded by the bench warrant. One-half of the proceeds from the warrant fee shall be retained by the Clovis Municipal Court and one-half shall go to the Clovis Police Department.

10.26.010 – Clovis Municipal Court automation fee.

A. The Clovis Municipal Court shall impose a court automation fee in the amount of nineteen dollars on anyone convicted in the municipal court, 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.

B. All money collected for the Clovis Municipal Court Automation fund shall be used to provide for the purchase of equipment, support services and staff training for the Clovis Municipal Court.

SECTION THREE. DELETION OF EXISTING CODE SECTION. The following section of City Code is hereby deleted in its entirety:

10.22.010 - Judicial education fee. – DELETE

PASSED, APPROVED AND ADOPTED this 20th day of July, 2024.

CITY OF CLOVIS, NEW MEXICO

By: _____
Michael Morris, Mayor

(S E A L)
ATTEST:

City Clerk