

The 2008 amendment, effective February 28, 2008, added Subsection C.

The 2006 amendment, effective March 6, 2006, added Subsection B to provide an adjustment for a distribution to a tax increment development district.

The 2005 amendment, effective July 1, 2005, deleted former Subsection B which provided for a distribution of local option gross receipts tax and special county hospital gross receipts tax to the largest municipality in certain class B counties for hospital purposes.

The 2003 amendment, effective July 1, 2003, in Subsection A, inserted "Except as provided in Subsection B of this section" at the beginning, substituted "7-1-6.41 NMSA 1978" for "1 of this 1997 act" at the end; and added Subsection B.

The 1997 amendment, effective July 1, 1997, added the language beginning "and any additional administrative".

The 1993 amendment, effective June 18, 1993, inserted "local option" in the section heading and rewrote this section to the extent that a detailed comparison is impracticable.

7-1-6.13. Transfer; revenues from county local option gross receipts and compensating taxes. (Effective July 1, 2024.)

A. A transfer pursuant to Section 7-1-6.1 NMSA 1978 shall be made to each county for which the department is collecting a local option gross receipts tax and county compensating tax imposed by that county in an amount, subject to any increase or decrease made pursuant to Section 7-1-6.15 NMSA 1978, equal to the net receipts attributable to the local option gross receipts tax and county compensating tax imposed by that county, less any deduction for administrative cost determined and made by the department pursuant to the provisions of the act authorizing imposition by that county of the local option gross receipts tax and county compensating tax and any additional administrative fee withheld pursuant to Section 7-1-6.41 NMSA 1978.

B. A transfer pursuant to this section may be adjusted for a distribution made to a tax increment development district with respect to a portion of a gross receipts tax increment dedicated by a county pursuant to the Tax Increment for Development Act [Chapter 5, Article 15 NMSA 1978].

C. A transfer pursuant to this section shall be adjusted for a distribution made to the Local Economic Development Act fund [5-10-14 NMSA 1978] pursuant to Section 7-1-6.67 NMSA 1978 and with respect to the amount dedicated by a county pursuant to Subsection B of Section 5-10-17 NMSA 1978.

D. A transfer pursuant to this section shall be adjusted for a distribution made to the metropolitan redevelopment fund pursuant to Section 11 [7-1-6.71 NMSA 1978] of this

2023 act and with respect to the amount dedicated by a county pursuant to Section 3-60A-23 NMSA 1978.

History: 1978 Comp., § 7-1-6.13, enacted by Laws 1983, ch. 211, § 18; 1986, ch. 20, § 9; 1987, ch. 45, § 9; 1989, ch. 326, § 11; 1990, ch. 99, § 47; 1991, ch. 176, § 16; 1993, ch. 30, § 2; 1997, ch. 125, § 3; 2003, ch. 205, § 1; 2005, ch. 338, § 1; 2006, ch. 75, § 32; 2008, ch. 51, § 1; 2014, ch. 79, § 1; 2019, ch. 270, § 6; 2021 (1st S.S.), ch. 2, § 4; 2023, ch. 112, § 13.

ANNOTATIONS

The 2023 amendment, effective July 1, 2024, provided that a transfer pursuant to this section shall be adjusted for a distribution made to the metropolitan redevelopment fund; in Subsection C, changed "5 of this 2021 act" to "7-1-6.67 NMSA 1978" and changed "2 of this 2021 act" to "5-10-17 NMSA 1978"; and added Subsection D.

7-1-6.14. Repealed.

ANNOTATIONS

Repeals. — Laws 1990, ch. 88, § 21 repealed 7-1-6.14 NMSA 1978, as enacted by Laws 1983, ch. 211, § 19, relating to transfers to counties or municipalities of amounts of net receipts attributable to county or municipal gasoline tax, effective May 16, 1990. For provisions of former section, see the 1989 NMSA on *NMOneSource.com*.

7-1-6.15. Adjustments of distributions or transfers to municipalities or counties.

A. The provisions of this section apply to:

- (1) any distribution to a municipality pursuant to Section 7-1-6.4, 7-1-6.36 or 7-1-6.46 NMSA 1978;
- (2) any transfer to a municipality with respect to any local option gross receipts tax imposed by that municipality;
- (3) any transfer to a county with respect to any local option gross receipts tax imposed by that county;
- (4) any distribution to a county pursuant to Section 7-1-6.16 or 7-1-6.47 NMSA 1978;
- (5) any distribution to a municipality or a county of gasoline taxes pursuant to Section 7-1-6.9 NMSA 1978;