

7-1-6.12. Transfer; revenues from municipal local option gross receipts and compensating taxes.

A. A transfer pursuant to Section 7-1-6.1 NMSA 1978 shall be made to each municipality for which the department is collecting a local option gross receipts tax and municipal compensating tax imposed by that municipality 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 municipal compensating tax imposed by that municipality, less any deduction for administrative cost determined and made by the department pursuant to the provisions of the act authorizing imposition by that municipality of the local option gross receipts tax and municipal 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 municipality 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 [Chapter 5, Article 10 NMSA 1978] fund pursuant to Section 5 [7-1-6.67 NMSA 1978] of this 2021 act and with respect to the amount dedicated by a municipality pursuant to Subsection B of Section 2 [5-10-17 NMSA 1978] of this 2021 act.

History: 1978 Comp., § 7-1-6.12, enacted by Laws 1983, ch. 211, § 17; 1986, ch. 20, § 8; 1990, ch. 99, § 46; 1991, ch. 9, § 12; 1993, ch. 30, § 1; 1997, ch. 125, § 2; 2006, ch. 75, § 31; 2019, ch. 270, § 5; 2021 (1st S.S.), ch. 2, § 3.

ANNOTATIONS

Cross references. — For the solid waste facility grant fund, see 74-9-41 NMSA 1978.

The 2021 (1st S.S.) amendment, effective April 7, 2021, provided transfers and distributions of a portion of municipal local option gross receipts and compensating tax revenue to the Local Economic Development Act fund; and added Subsection C.

The 2019 amendment, effective July 1, 2019, included municipal compensating tax with the local option gross receipts tax, the revenues of which are used to make transfers to each municipality; in the section heading, added "and compensating"; and in Subsection A, after each occurrence of "local option gross receipts", added "tax and municipal compensating", and after "pursuant to", deleted "Subsection C of".

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