

ORDINANCE NO. 37

ADOPTING A COUNTY CORRECTIONAL FACILITY GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF QUAY COUNTY

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this county for the privilege of engaging in business in this county an excise tax equal to one-eighth of one percent (.125%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the County Correctional Facility Gross Receipts Tax Act as it now exists or as it may be amended and shall be known as the "county correctional facility gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No county correctional facility gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the county to another point outside the county; or
- B. direct broadcast satellite services.

Section 4. Dedication. Revenue from the county correctional facility gross receipts tax will be used for the purposes listed below:

Operating, maintaining, constructing, purchasing, furnishing, equipping, rehabilitating, expanding or improving a county correctional facility or the grounds of a county correctional facility, including acquiring and improving parking lots, landscaping or any combination of the foregoing;

For the purpose of transporting or extraditing prisoners; or

To payment of principal and interest on revenue bonds or refunding bonds issued pursuant to the provision of the County Correctional Facility Gross Receipts Tax Act.

Section 5. Effective Date. The effective date of the county correctional facility gross receipts tax shall be either January 1 or July 1, whichever date occurs first after the expiration of at least three months from the date this ordinance is adopted, unless an election is held on the question of approving the ordinance, in which case the effective date shall be either January 1 or July 1,

230

697

whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption.

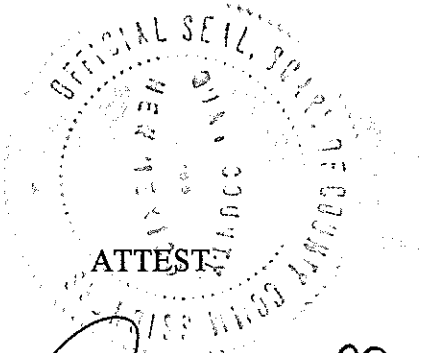
ADOPTED BY THE GOVERNING BODY OF QUAY COUNTY 11th THIS DAY OF August, 2004.

BOARD OF QUAY COUNTY COMMISSIONERS

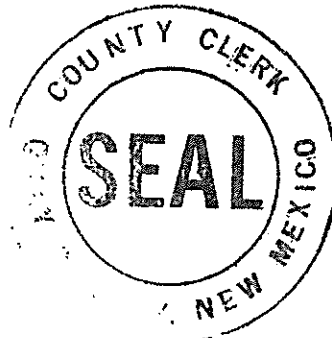
Grace E. Madrid, Chairman

Jeffrey L. Lewalling
Jeffrey L. Lewalling, Member

Franklin D. McCasland
Franklin D. McCasland, Member



Jeannette Maddaford
Jeannette Maddaford, County Clerk



STATE OF NEW MEXICO
COUNTY OF QUAY
I hereby certify that this instrument
for record at 9:30 of 11th of August A

DEC 16 2004
Misc 229-230 109

Jeannette Maddaford
County Clerk