

# City of Albuquerque

## Office of the City Clerk

Timothy M. Keller, Mayor

Ethan Watson, City Clerk

### Interoffice Memorandum

July 6, 2022

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**To:** CITY COUNCIL

**From:** Camille Chavez, Assistant City Clerk *CC*

**Subject:** BILL NO. R-22-55; ENACTMENT NO. R-2022-059

I hereby certify that on July 6, 2022, the Office of the City Clerk received Bill R-22-55 as signed by the president of the City Council, Isaac Benton. Enactment No. R-2022-059 was passed at the June 22, 2022 City Council meeting. Mayor Keller did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-22-55.

Sincerely,

Miriam Diemer  
Deputy City Clerk

**CITY of ALBUQUERQUE  
TWENTY FIFTH COUNCIL**

COUNCIL BILL NO.       R-22-55       ENACTMENT NO.       R-2022-059      

SPONSORED BY:     Pat Davis

1                               **RESOLUTION**

2     **EXTENDING THE STAY OF ENFORCEMENT OF THE ALBUQUERQUE TAX**

3     **PREPARER AND CONSUMER RIGHTS ORDINANCE.**

4         **WHEREAS, the City administration presented the Albuquerque Tax**

5     **Preparer and Consumer Rights Ordinance (the "Ordinance") to the City**

6     **Council in December of 2020, and it was enacted in February 2021 (Bill No. O-**

7     **20-45, Enactment No. O-2021-003); and**

8         **WHEREAS, the City administration has requested amendments to the**

9     **Ordinance as originally drafted and passed, and stakeholders have also**

10    **engaged with the City Council to consider amendments to the Ordinance via**

11    **bill O-21-77 to address certain deficiencies and ambiguities in the Ordinance**

12    **as it was enacted; and**

13         **WHEREAS, O-21-77 was subsequently withdrawn to allow for continued**

14    **discussion and consideration of necessary amendments to the Ordinance;**

15    **and**

16         **WHEREAS, consumers and the impacted industry will be best served by a**

17    **thoughtful and contemplative review process by the City Council to help**

18    **ensure that the proposed updates to the Ordinance address and remedy the**

19    **problems with the Ordinance in its existing form; and**

20         **WHEREAS, sufficient time should be taken to consider amendments to the**

21    **Ordinance, to provide sufficient advanced notice of its effects, and to promote**

22    **confidence amongst consumers and the impacted industry; and**

23         **WHEREAS, an updated version of the Albuquerque Tax Preparer and**

24    **Consumer Rights Ordinance is currently being drafted; and**

25         **WHEREAS, it is not in the best interest of the City to enforce the existing**

26    **Ordinance during the ongoing tax season because of its need for updates and**

27    **improvements; and**

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1       WHEREAS, on November 15, 2021 the Council issued a stay of  
2 enforcement of the Albuquerque Tax Preparer and Consumer Rights  
3 Ordinance via R-21-213; and

4       WHEREAS, the stay of enforcement should be continued as an updated  
5 version of the ordinance is being finalized.

6 **BE IT RESOLVED BY THE COUNCIL THE GOVERNING BODY OF THE CITY OF**  
7 **ALBUQUERQUE:**

8       **SECTION 1. Enforcement of the Albuquerque Tax Preparer and Consumer**  
9 **Rights Ordinance, ROA 1994 §§ 13-20-1-1 through 13-20-1-15, is stayed until**  
10 **December 31, 2022. No provisions of the Albuquerque Tax Preparer and**  
11 **Consumer Rights Ordinance will be enforced during this time.**

12       **SECTION 2. City Council anticipates that it will continue its consideration**  
13 **of amendments to the Albuquerque Tax Preparer and Consumer Rights**  
14 **Ordinance, and that the resulting amendments will become enforceable upon**  
15 **expiration of this stay of enforcement.**

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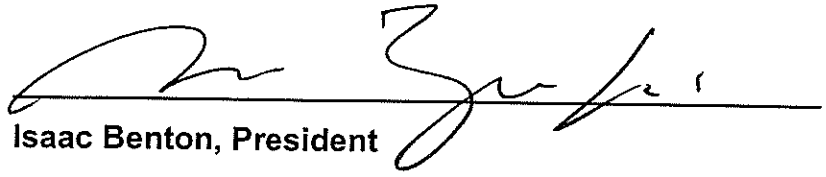
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1 PASSED AND ADOPTED THIS 22<sup>nd</sup> DAY OF June, 2022  
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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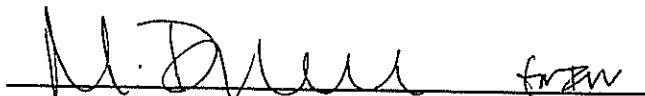
  
Isaac Benton, President  
City Council

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

Bill No. R-22-55

\_\_\_\_\_  
Timothy M. Keller, Mayor  
City of Albuquerque

ATTEST:

  
Ethan Watson, City Clerk

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