CITY of ALBUQUERQUE TWENTY FIFTH COUNCIL

COUNCIL BILL NO. O-22-1 ENACTMENT NO.				
SPONSORED BY: Dan Lewis				
	1	ORDINANCE		
	2	REPEALING ENACTMENT NO. O-2018-001 (COUNCIL BILL NO. O-18-9) WHICH		
	3	IMPOSED A THREE EIGHTHS OF ONE PERCENT (.375%) GROSS RECEIPTS		
	4	TAX		
	5	WHEREAS, On March 5, 2018 Albuquerque City Council adopted a three		
	6	eighths of one percent (.375%) Gross Receipts Tax (the "2018 Increment");		
	7	and		
	8	WHEREAS, as of Fiscal Year 2021, the receipts generated by the 2018		
	9	Increment have transitioned from the required 60% Public Safety focus, to		
	10	being available to support the City's general operating fund; and		
on (11	WHEREAS, notwithstanding the economic challenges faced by the City and		
- New Deletion	12	our community during the COVID-19 pandemic, with support from the Federal		
	13	Government, the City has managed to evade layoffs and other financial		
Underscored Material] rikethrough Material] -	14	hardships and appears well positioned to continue to fund critical services;		
Mate Na	15	and		
	16	WHEREAS, given that the initial public safety purpose of the tax has now		
ersc Prot	17	sunset, and given the relatively strong fiscal footing of the City going forward,		
ğ <u>¥</u>	18	the City should repeal the 2018 Increment as a way to assist consumers and		
	19	businesses; and		
Ske g ke	20	WHEREAS, to the extent the City has future revenue needs it should first		
Bracketed Bracketed St	21	examine the efficiency and priority of its services and programs as a first		
<u> </u>	22	measure of fiscal accountability; now		
	23	BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY		
	24	OF ALBUQUERQUE:		
	25	SECTION 1. Enactment No. O-2018-001 (Council Bill No. O-18-9) is		
	26	repealed, and Sections 4-3-9-1 through 5, ROA 1994, are amended as followed:		

1 "PART 9: [MUNICIPAL HOLD HARMLESS GROSS RECEIPTS TAX 2 § 4-3-9-1 IMPOSITION OF TAX. 3 There is imposed on any person engaging in business in this municipality 4 for the privilege of engaging in business in this municipality an excise tax 5 equal to three eighths of one percent (.375%) of the gross receipts reported or 6 required to be reported by the person pursuant to the New Mexico Gross 7 Receipts and Compensating Tax Act as it now exists or as it may be amended. 8 The tax imposed under this section is pursuant to the Municipal Local Option 9 Gross Receipts Taxes Act as it now exists or as it may be amended and shall 10 be known as the "municipal hold harmless gross receipts tax." 11 § 4-3-9-2 GENERAL PROVISIONS. 12 This section hereby adopts by reference all definitions, exemptions and 13 deductions contained in the Gross Receipts and Compensating Tax Act as it 14 now exists or as it may be amended. 15 § 4-3-9-3 SPECIFIC EXEMPTIONS. 16 — No municipal hold harmless gross receipts tax shall be imposed on the 17 gross receipts arising from: 18 (A) Transporting persons or property for hire by railroad, motor vehicle, 19 air transportation or any other means from one point within the municipality to 20 another point outside the municipality; - [Bracketed/Strikethrough Material] - [Bracketed/Strikethrough Material] 20 22 23 24 25 26 27 28 29 (B) A business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Section 7-1-6.4(C) NMSA 1978; or (C) Direct broadcast satellite services. **— § 4-3-9-4 DEDICATION.** Revenue from the municipal hold harmless gross receipts tax will be used for the purposes listed below: (A) In fiscal years 2019 and 2020, no less than 60% of the tax receipts shall be used for the city's Public Safety Budget Goal Priorities. 30 (B) General municipal purposes. 31 § 4-3-9-5 EFFECTIVE DATE. 32 The effective date of the municipal hold harmless gross receipts tax shall 33 be July 1, 2018. REPEALED.]"

	1	SECTION 2. A certified copy of this Ordinance shall be provided to the
	2	Taxation and Revenue Department within five (5) days after the date this
	3	Ordinance is adopted.
	4	SECTION 3. COMPILATION. The ordinance amendment prescribed by
	5	SECTION 1 shall amend, be incorporated in, and be made part of the Revised
	6	Ordinances of Albuquerque, New Mexico 1994.
	7	SECTION 4. EFFECTIVE DATE. Pursuant to NMSA 1978, Section 7-19D-3,
	8	this Ordinance shall be effective on July 1, 2022.
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