

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-22-55 ENACTMENT NO. _____

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13 WHEREAS, O-21-77 was subsequently withdrawn to allow for continued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