



Legislation Text

File #: O-20-46, Version: 1

CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

COUNCIL BILL NO. O-20-46 ENACTMENT NO. _____

SPONSORED BY: Pat Davis, by request

ORDINANCE

Adding Article 20 Of Chapter 13 Of The Revised Ordinances Of Albuquerque To Add Part 1
Creating The Albuquerque Tax Preparers And Consumer Rights Ordinance (Davis, by request)
BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
ALBUQUERQUE:

SECTION 1. Article 20 of Chapter 13 R.O.A. 1994 is created to add Part 1, Section 13-20-1-1
through 13-20-1-22, the Albuquerque Tax Preparer and Consumer Rights Ordinance, as follows:
PART 1.

§ 13-20-1-1 FINDINGS AND INTENT.

- A. The City Council finds that, to better protect the public health, safety, and welfare of Albuquerque residents, it is in the public interest to address local issues of unfair, deceptive, and unconscionable trade practices in the conduct and provision of personal income tax preparation services in the City.
- B. The purpose of this Part is to ensure that paid tax preparers provide advice and assistance to taxpayers in a competent and ethical manner, and to protect taxpayers as consumers when purchasing tax preparation services.
- C. Through this Part, the City Council intends to protect the general public in the City from unfair, deceptive, and unconscionable trade practices in the conduct and provision of personal income tax preparation services and to regulate those businesses and individuals conducting personal income tax preparation services in the City.

D. The Albuquerque Tax Preparer and Consumer Rights Ordinance is enacted pursuant to the general welfare and police powers of the City of Albuquerque.

§ 13-20-1-2 SHORT TITLE.

This Part shall be referred to as the “Albuquerque Tax Preparer and Consumer Rights Ordinance” and will sometimes be referred to herein as “this Part.”

§ 13-20-1-3 DEFINITIONS.

For purposes of the Albuquerque Tax Preparer and Consumer Rights Ordinance, the following terms shall have the stated meaning, unless the context clearly requires a different meaning:

ASSISTED DIRECT DEPOSIT. A mechanism or agreement through which:

- A. A consumer’s individual tax refund(s) is deposited in a financial account other than the consumer’s bank account;
- B. Charges related to the underlying income tax return, including tax preparation and/or refund settlement charges are deducted from the deposit; and
- C. The remaining portion of the refund is deposited in the consumer’s bank account.

CONSUMER. A natural person who, singly or jointly with another consumer, files a federal or state personal income tax return.

LICENSEE. A tax preparer who is licensed by the Mayor or the Mayor’s designee under this Part.

REFUND. A federal or state personal income tax refund.

REFUND ANTICIPATION CHECK. A check, debit card, or other payment mechanism that is issued to a consumer based on the anticipated amount of their federal or state personal income tax refund and prior to the actual issuance of the refund by the federal or state government.

REFUND ANTICIPATION LOAN. A loan that is secured by a creditor or that a creditor arranges or expects to be repaid, directly or indirectly, from the proceeds of the consumer’s federal or state personal income tax refund(s) or tax credits, including any sale, assignment, or purchase of a tax refund or tax credit at a discount or for a fee.

REFUND SETTLEMENT PRODUCT. Any assisted direct deposit, refund anticipation check, refund anticipation loan, or other similar mechanism, agreement, or transaction through which a consumer receives money, in an amount based on their anticipated personal income tax refund, from a person other than the federal or a state government.

RETURN. A federal or state person income tax return.

TAX PREPARATION SERVICES. Preparation, advice, or assistance in the preparation of, or

assumption of final responsibility for another person's preparation of, a federal or state personal income tax return of a consumer for compensation or valuable consideration. This shall include any tax preparation services provided in conjunction with a refund anticipation loan, refund anticipation check, or refund settlement product.

TAX PREPARER. A person who prepares for compensation, or who employs one or more persons to prepare for compensation, a personal income tax return or any claim for tax refund or who holds themselves out as providing personal income tax preparation services. A tax preparer shall not include:

- A. A licensed attorney-at-law, in good standing in this state or any other state, who provides tax preparation services and any employee of such attorney-at-law;
- B. A certified public accountant who provides tax preparation services and any employees of such certified public accountant;
- C. An employee of or volunteer for of a Volunteer Tax Assistance program;
- D. An officer or employee of a federal, state, or local governmental agency who provides tax preparation services in the scope of their employment; or
- E. A duly appointed administrator, conservator, guardian, personal representative, trustee, or receiver who provides tax preparation services in the normal course of their prescribed duties.

WRITING. Information legibly recorded in paper or electronic form.

§ 13-20-1-4 MANDATORY DISCLOSURES.

Prior to providing any individual tax preparation services, a tax preparer must provide the consumer with the following:

- A. A copy of the "Albuquerque Consumer Bill of Rights for Paid Personal Income Tax Preparation Services" that the City shall make available online for the tax preparer to print and provide to the consumer.
- B. Tax Preparer Disclosure. A separate written "Tax Preparer Disclosure" consisting of:
 - 1. The licensed tax preparer's name, address, telephone number and PTIN from the Internal Revenue Services (IRS);
 - 2. A statement that the licensed preparer is not a certified public accountant, tax attorney, or enrolled agent with the IRS;
 - 3. A written summary of the tax preparer's qualifications, including:
 - a. Education degrees attained;
 - b. Years of education directly related to tax preparation service; and

c. Years of experience in tax preparation service.

4. A statement that the tax preparer is licensed and bonded as required by the City;
5. A statement informing consumers that they may be able to file their federal taxes for free via the IRS website or may qualify for free tax preparation assistance from nonprofit organizations;
6. A statement that, prior to entering into any written agreement or contract, the tax preparer shall provide the consumer with a written estimate of the total charges based upon the tax preparation services selected by the consumer; and
7. The tax preparer's New Mexico Combined Reporting System (CRS) Identification Number.

C. Fee Schedule Disclosure. A separate written disclosure of fees, entitled "Fee Disclosure", for individual tax preparation services that contains the following information:

1. A list of, description of, and the fee for each tax preparation service offered by the tax preparer, including the fees for preparation of individual forms; and
2. A list of, description of, and price of all miscellaneous fees associated with the licensee's tax preparation services, including any processing, billing, filing or other fees.
3. A statement that the "Fee Disclosure" does not include any costs associated with a refund anticipation loan, refund anticipation check or refund anticipation product.

D. Written Estimate of Fees.

1. Prior to the consumer entering into any written agreement or contract or paying any amount, the tax preparer shall provide the consumer with a written estimate of the total charges based upon the tax preparation services selected by the consumer;
2. If an estimate of an anticipated tax refund is prepared in conjunction with a refund anticipation loan, refund anticipation check or refund anticipation product, the tax preparer shall provide the consumer with:
 - a. A written estimate of the total charges based upon the tax preparation services anticipated;
 - b. The amount of any tax refund anticipated from the federal and any state government; and
 - c. A written estimate of the dollar amount and percentage of the consumer's total anticipated tax refund to be paid to the consumer once all fees of the tax preparer, including any affiliate of the tax preparer, are deducted.

- E. Final Accounting. Upon the conclusion of services, the tax preparer shall provide:
1. A final itemized accounting of all services provided and the fees charged for those services and, if included, any refund settlement products, selected by the consumer, including any fees and costs; and,
 2. A written explanation of any fees or costs charged in excess of the estimated charges previously disclosed;
 3. A written statement setting forth the dollar amount and percentage of the consumer's total refund that is to be paid to the tax preparer and any affiliate of the tax preparer; and
 4. A written statement setting forth the address and phone number where the consumer can contact the tax preparer throughout the year.
- F. A tax preparer shall not enter into any written agreement or contract with the consumer until:
1. The tax preparer has verbally reviewed with the consumer each and every disclosure contained in the "Tax Preparer Disclosure" and "Fee Disclosure" forms; and
 2. The consumer has certified that such review occurred by signing and dating each form.
- G. The tax preparer must offer the consumer the choice between English and Spanish versions of the "Tax Preparer Disclosure" and "Fee Disclosure" forms and must review the disclosures in the selected language. If the consumer does not understand English or Spanish, the tax preparer must allow the consumer an opportunity to secure the services of a translator prior to continuing with the tax preparation services.
- H. The City may prescribe model "Tax Preparer Disclosure" and "Fee Disclosure" forms to facilitate compliance with the disclosure requirements of this Part. A tax preparer shall be deemed in compliance with the disclosure requirements of this Part if a tax preparer uses such model form. Nothing in this Part shall be construed as requiring tax preparers to use any such model form.
- I. A tax preparer shall provide all disclosures required by this Part, whether in writing or electronically, and must do so in a manner that is reasonably expected to provide actual notice and in a form that the consumer may retain and access in its entirety.

§ 13-20-1-5 TAX PREPARER OBLIGATIONS AND CONSUMER RIGHTS.

A tax preparer shall comply with the following obligations and consumer rights:

- A. The tax preparer shall provide the consumer with the opportunity to review the final draft tax return before filing with the federal or state government;

- B. The tax preparer shall provide the consumer with a copy of the final tax return at the time that such return is filed or given to the consumer to file with the federal or state government. The copy of the return shall be provided for no fee;
- C. The tax preparer shall return to the consumer all personal papers and a copy of any permanent schedules prepared. These documents shall be provided to the consumer within five (5) days of filing of the final tax return or when the final tax return is provided to the consumer for filing with the federal or state government;
- D. A consumer has the right to have any tax refund deposited directly into their own bank account or, at their request, to have the refund sent to them via check;
- E. The tax preparer shall not require any consumer to purchase a refund settlement product or any other good or service in order to receive tax preparation services from the tax preparer;
- F. The tax preparer who, individually or in conjunction with others, makes or offers refund anticipation loans, is required to comply with NMSA 1978, §§ 58-15-1 *et seq.* and all disclosure and other requirements of this Part;
- G. A consumer has the right to file a complaint with the City regarding a tax preparer and the right to seek redress by filing a claim with the City Clerk against the Tax Preparer's Bond; and
- H. The tax preparer shall inform the consumer that they may be able to file their federal taxes for free via the IRS website or may qualify for free tax preparation assistance from nonprofit organizations.

§ 13-20-1-6 WRITTEN AGREEMENT.

No consumer shall be liable to a tax preparer for any charge, fee, or cost for personal income tax preparation services without a written agreement or contract for such services.

§ 13-20-1-7 ALBUQUERQUE CONSUMER BILL OF RIGHTS FOR PAID PERSONAL INCOME TAX PREPARATION SERVICES.

The City shall produce a document in English and Spanish, entitled "ALBUQUERQUE CONSUMER BILL OF RIGHTS FOR PAID PERSONAL INCOME TAX PREPARATION SERVICES." The document shall be published prominently on the City's website and shall contain a summary of the required disclosures, tax preparer obligations and consumer rights enumerated in this Part.

§ 13-20-1-8 MANDATORY POSTING.

A tax preparer shall post the following information, in a form and format prescribed by the City,

in both English and Spanish, at any premises where the tax preparer renders any personal tax preparation services and on any website of the tax preparer. All signs displaying such information must be prominently and conspicuously posted at the primary public entrance to the business premises or in the immediate area where consumers arrive and are met by tax preparers and on any website of the tax preparer:

- A. The Albuquerque Consumer Bill of Rights for Paid Personal Income Tax Preparation Services.
- B. A written list, description, and price of all tax preparation services offered by the tax preparer.
- C. A written list, description, and price of all miscellaneous fees associated with the tax preparer's personal tax preparation services, including, but not limited to, filing, billing, and processing fees.
- D. In addition to state and federal disclosure requirements related to refund anticipation loans, a written description and price of any tax settlement products offered by the tax preparer or an affiliate.
- E. The names of the owners of the licensee, if the licensee is a sole proprietorship or partnership. If the licensee is a corporation, the name shall be followed by the phrase "a corporation."
- F. The name under which the licensee operates.
- G. The licensee's New Mexico CRS Identification Number and PTIN.
- H. The location(s), by street, number, city, county, state, and zip code where the licensee conducts business.
- I. The effective date and expiration date of the license under which the tax preparer is operating.

§ 13-20-1-9 PROHIBITED ACTIVITY.

- A. No tax preparer shall require, as a condition of offering or rendering tax preparation services to a consumer, that such consumer purchase or utilize a refund settlement product.
- B. No tax preparer shall represent to the public, by use of a title, including "tax preparer", by description of services, methods or procedures, or otherwise, that the individual is authorized to provide individual tax preparation service in Albuquerque unless the tax preparer is in compliance with all provisions of this Part.
- C. No tax preparer shall obtain the signature of a consumer to a tax return or authorizing document which contains blank spaces said tax preparer intends to later fill-in.
- D. A tax preparer shall not knowingly make a false or misleading oral or written statement, visual description or other representation of any kind knowingly made in connection with the tax preparation services offered or provided or the extension of credit which may, tends to or does

deceive or mislead any consumer.

E. Each violation of this Part shall constitute a separate offense and each day of violation shall constitute a separate offense.

F. Any waiver by a consumer of any provision of this Part shall be deemed null, void and of no effect.

§ 13-20-1-10 PRIVATE RIGHT OF ACTION.

A. The remedies provided under this Part are cumulative of any other remedies provided by law and apply to:

1. Licensed tax preparers; and
2. Unlicensed tax preparers to whom this Part applies and who operate without a license.

B. Any violation by a person required to be licensed by this Part of any state law prohibiting unfair or deceptive or unconscionable acts or practices constitutes a violation of this Part.

C. A person likely to be damaged by a violation of this Part may be granted an injunction against the tax preparer under the principles of equity and on terms that the court considers reasonable. Proof of monetary damage, loss of profits or intent to deceive or take unfair advantage of any person is not required.

D. Any person who suffers damages as a result of any violation of this Part by any tax preparer may bring an action to recover actual damages or the sum of five hundred dollars (\$500) per violation, whichever is greater.

E. The court shall award attorney fees and costs to the party complaining of a violation of this Part if the party prevails. The court shall award attorney fees and costs to the party charged with a violation if it finds that the party complaining of such practices brought an action that was groundless.

F. Each act or omission in violation of this Part shall constitute a separate violation and each day of violation shall constitute a separate violation.

G. The remedies provided in this Part are not exclusive remedies nor must the consumer exhaust any administrative remedies provided under this Part or any other applicable law.

H. No written agreement or contract for individual tax preparation services shall contain any provision that, prior to the time a dispute arises, waives or has the effect of waiving the rights of a party to such agreement to resolve disputes by obtaining;

1. Injunctive, declaratory or other equitable relief;

2. Relief on a class-wide basis;
 3. Punitive damages;
 4. Damages as specified by statute;
 5. Attorney's fees and costs as specified by statute or as available at common law; or
 6. A hearing at which that party can present evidence in person.
- I. Any provision in a written agreement or contract that violates this Part shall be void and unenforceable.

§ 13-20-1-11 TAX PREPARER LICENSE REQUIRED.

No person shall act as a tax preparer within the City unless they have first received a license to do so from the Mayor or the Mayor's designee.

§ 13-20-1-12 LICENSE TERM, APPLICATION, AND FEE.

A. Term. Each license shall be valid for a term of not less than one (1) year.

B. Application.

1. Form. Applications for a tax preparer license and renewal shall be made to the Mayor or the Mayor's designee on forms prescribed by the Mayor or the Mayor's designee.
2. Content. Applications shall contain the following information and any other additional information deemed necessary by the Mayor or the Mayor's designee, consistent with this Part:
 - a. The name and address of the applicant, including:
 - i. The address of their principal place of business;
 - ii. Local physical address;
 - iii. If the applicant is a corporation, the state of incorporation and the name and address of each of its managing officers and agents;
 - iv. If the applicant is an unincorporated association, firm, or partnership, the name and address of each member of such unincorporated association, firm, or partnership.
 - b. Whether the applicant will prepare personal income tax returns as an employee and, if so, the name and address of the employer.
 - i. If the applicant will not prepare personal income tax returns as an employee, their:
 - A. New Mexico Combined Reporting System (CRS) Identification Number or

- evidence of application for such; and
- B. Internal Revenue Service preparer tax identification number (PTIN) or evidence of application for such.
- ii. If the applicant will prepare personal income tax returns as an employee, their employer's:
 - A. New Mexico CRS Identification Number or evidence of application for such; and
 - B. Internal Revenue Service PTIN or evidence of application for such.
- c. Whether the applicant has been found in violation of this Part, has had a civil judgment entered against them for unfair or deceptive trade practices, or has been convicted of a felony or misdemeanor described in Sections 13-20-1-12(B)(2)(c)(i - ix) below within the past seven (7) years. If the applicant is a corporation, the name (s) of any officer, director, trustee, partner, or any current agent or employee of the applicant tax preparer who has been found in violation of this Part, has had a civil judgment entered against them for unfair or deceptive trade practices, or has been convicted of a felony or misdemeanor involving:
 - i. Theft;
 - ii. Fraud;
 - iii. Embezzlement;
 - iv. Identity theft;
 - v. Money laundering;
 - vi. Racketeering;
 - vii. Securities fraud;
 - viii. Tax evasion or fraud;
 - ix. False statement or misrepresentation; or
 - x. Forgery.
- d. If the applicant has been found in violation of this Part, has had a civil judgment entered against them for unfair or deceptive trade practices, or has been convicted of a felony or misdemeanor described in Sections 13-20-1-12(B)(2)(c)(i - ix):
 - i. The final finding, judgment, or conviction, including any amount and the nature of offense(s);
 - ii. The state where the finding, judgment, or conviction occurred; and

- iii. The year of such finding, judgment, or conviction.
- e. Proof that the applicant has posted the bond required pursuant to Section 13-20-1-16.
- f. A declaration, under penalty of perjury, that the information the applicant has provided is complete, true, and correct.

C. Fee.

- 1. Applications shall be accompanied by a fee to be set by the Mayor or the Mayor's Designee, which shall be nonrefundable.
- 2. The license fee may not be prorated.

§ 13-20-1-13 LICENSE ISSUANCE.

The Mayor or the Mayor's designee shall examine each application for a tax preparer license and shall make such further investigation of the applicant and the applicant's affairs as the Mayor or the Mayor's designee shall deem necessary to carry out the duties under this Part. The City shall issue a license to the applicant unless the Mayor or the Mayor's designee determines one or more of the following exist:

- A. The applicant or any officer, director, trustee, partner, or any current agent or employee of the applicant is in a category described under Section 13-20-1-12(B)(2)(c) above;
- B. One or more of the applicant's statements made in the application or renewal is not true;
- C. The applicant has failed to provide the information required under Section 13-20-1-12(B)(2)(a - f);
- D. The applicant has not posted the bond required pursuant to Section 13-20-1-16; or
- E. The applicant has failed to pay the required fee.

§ 13-20-1-14 CERTIFICATION OF COMPLIANCE.

No later than January 15th of each year after which a license has been issued, a licensee shall file with the City Attorney a Certification of Compliance declaring, under penalty of perjury, that the licensee is in compliance with each applicable provision of this Part. The Certification of Compliance shall be on a form designated by the City Attorney and available on the City website.

§ 13-20-1-15 RENEWAL.

Licenses shall be renewed annually prior the expiration of the license term. Prior to the renewal of any license granted under this Part, the licensee shall provide:

- A. An application for renewal that includes all of the information and requirements in Section 13-20-1-12 above;

B. Affirmative statement(s) indicating whether the licensee is updating or changing any such information; and

C. Attach a copy of the most recently filed Certification of Compliance.

§ 13-20-1-16 BOND.

A. No applicant for a tax preparer's license or for renewal of a tax preparer's license shall be issued a license until the Mayor or the Mayor's designee determines that the applicant has furnished proof of responsibility pursuant to Subsection B of this Section.

B. Proof of responsibility shall be a bond of twenty-five thousand dollars (\$25,000.00) acceptable to the Mayor or the Mayor's designee and underwritten by a corporate surety authorized to transact business in New Mexico. Such bond shall meet the following conditions:

1. Payments from a bond required pursuant to this Section shall be used to cure licensure or disclosure violations by a licensee or for the benefit of any consumer damaged by violation of this Part, or any fraud, dishonesty, misstatement, misrepresentation, or any other unlawful, unfair or deceptive acts or omissions of the tax preparer;
2. Claims against the bond shall be made within three years following filing of the tax return;
3. The total aggregate liability of the surety for all claims shall be limited to the face amount of the bond;
4. The bond carrier shall provide to the City and to the licensee thirty days' prior written notice of intent to cancel a bond required pursuant to this Section. The surety for such a bond shall remain liable under the bond for all obligations of the licensee that occur before the bond is canceled, expires, or otherwise becomes ineffective;
5. Failure to maintain the bond for the period required by law is cause for revocation of the license; and
6. If the bond is canceled, expires or otherwise becomes ineffective during the period of a license, the licensee shall be obligated to secure a new bond. If the licensee has not provided proof of a new bond before the thirtieth day after the date on which the bond was canceled, expired or otherwise became ineffective, the licensee shall cease to conduct business until a new bond is obtained or, if the licensee fails to cease business, the licensee shall be subject to revocation for failure of proof of responsibility.

C. Filing a Claim. Any person making a claim against a tax preparer subject to this Part may file a complaint with the City Clerk for submittal to the Independent Office of Hearings for the City of Albuquerque seeking administrative review of the claim. The complaint shall be on a form

provided by the City Clerk and filed within three years of the filing of the tax return in question. The date of filing of the complaint will constitute a claim filed for purposes of establishing the order of priority in the event that the licensee has more than one complaint seeking payment on the surety bond. A copy of the complaint shall be mailed, certified and receipt requested, to the surety bond company and the tax preparer.

- D. Review of Claim. The review of any claim against the bond under this Part shall be pursuant to the procedures established for the Independent Office of Hearings at Chapter 2, Article 7, Part 8 ROA 1994 *et seq.* Should the Independent Hearing Officer find that a claimant suffered damages as a result of any violation of this Part by any tax preparer and has entered an order recommending approval of the claim against the bond in an amount specified, for actual damages or the sum of five hundred dollars (\$500) per violation, whichever is greater, then this recommendation shall be submitted to the surety bond company.
- E. Effect of Payment of Claim. Upon receipt of any recommendation of a claim from the Independent Hearing Officer, the surety bond company shall make a determination on the claim within the time period specified by the terms of the Bond.

§ 13-20-1-17 JOINT AND SEVERAL LIABILITY.

Any person who employs or contracts with another person to provide tax preparation services shall be jointly and severally liable for violations of this Part with the employed or contracted tax preparer so long as said tax preparer provides any portion of the challenged tax preparation service within the City of Albuquerque.

§ 13-20-1-18 DENIAL AND SUSPENSION OF LICENSE; APPEALS.

- A. An applicant or licensee seeking to appeal a denial, revocation, suspension, or fine under this Part shall do so by adhering to the procedures established for the Independent Office of Hearings at Chapter 2, Article 7, Part 8 R.O.A. 1994 *et seq.* The appeal must be received within ten (10) working days of the notice of the challenged City act.
- B. If a Hearing Officer finds that a tax preparer, or one of their agents or employees, with said tax preparer's knowledge or consent, has failed to comply with this Part or other applicable law, the Hearing Officer may, after an opportunity for a hearing:
1. Deny an application or renewal;
 2. Revoke a license;
 3. Suspend a license;
 4. Impose fines pursuant to Chapter 1, Article 1, Section 99 R.O.A. 1994 *et seq.*; or

5. Reinstatement of a license should the tax preparer demonstrate compliance in the challenged instance.

C. The Hearing Officer may waive a denial under Section 13-20-1-13(A) above if the applicant or licensee provides substantial evidence that, notwithstanding such conviction, judgment, or finding, said applicant, licensee, or personnel thereof are:

1. Responsible; and
2. Of good character and reputation.

§ 13-20-1-19 ENFORCEMENT.

A. The City may implement and enforce this Part.

B. The Mayor or the Mayor's designee is authorized to promulgate regulations, rule, and instructions to implement this Part. Each separate violation shall constitute a separate offense and each day of violation shall constitute a separate offense.

C. The provisions of this Part shall apply to any person who seeks to evade its applicability by any device, subterfuge, or pretense.

D. This Part does not provide the exclusive remedy and does not prevent the City from seeking civil public enforcement of this Part via injunction or other available equitable and legal relief.

E. Nothing in this Part shall be construed to preempt, otherwise limit, or affect the applicability of any other law, regulation, rule, requirement, policy, or standard.

§ 13-20-1-20 SEVERABILITY.

If any portion of this Part is determined to be invalid for any reason by a final non-appealable order of any court of this state or a federal court of competent jurisdiction, then it shall be severed from the the Part. All other provisions of this Part shall remain in full force and effect.

§ 13-20-1-21 EFFECTIVE DATE.

A. Compilation. This Part shall amend, be incorporated in and compiled as part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

B. Effective Date. Sections 13-20-1-1 through 13-20-1-10, Section 13-20-1-17 and Sections 13-20-1-19 through 13-20-1-21, shall take effect five (5) days after publication by title and general summary. Sections 13-20-1-11 through 13-20-1-16 and Section 13-20-1-18 shall take effect one hundred and eighty (180) days after publication by title and general summary.

