

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-376

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III, SECTION 2-115 OF THE CODE OF THE INCORPORATED COUNTY OF LOS ALAMOS ADJUSTING THE COMPENSATION OF THE COUNTY PROBATE JUDGE

WHEREAS, the Incorporated County of Los Alamos ("County") is an incorporated county of the State of New Mexico as provided in Section 5, Article 10 of the New Mexico Constitution; and

WHEREAS, on November 5, 2024, N.M. Const. Art. X, § 1 was amended by the people of the State of New Mexico granting authority to the County Council to set annual salaries for County elected officials; and

WHEREAS, Article IV, Section 27 of the New Mexico Constitution forbids any increase or decrease in an elected official's compensation during the elected official's term of office, and

WHEREAS, a new term for the Probate Judge shall begin on January 1, 2027; and

WHEREAS, the amount of compensation currently paid to the Probate Judge was established in 2022 pursuant to Ordinance No. 02-330, and has not increased; and

WHEREAS, the cost of living has increased and continues to increase; and

WHEREAS, Council finds that the responsibilities and duties currently assigned to the Probate Judge warrant an increase in the Probate Judge's compensation.

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS as follows:

Section 1. Section 2-115 of the Code is amended as follows:

Sec. 2-115. - Probate judge.

A. The probate judge shall be entitled to compensation at the rate of [~~\$4,636.00~~] \$25,000.00 per annum. The probate judge shall also be reimbursed for actual and necessary expenses incurred in the performance of official duties as approved by the council.

B. The County Council shall review the compensation and salary provided to the Probate Judge no later than December 30, 2029 and no later than December 30 every four years thereafter.

Section 2. Effective Date. This Ordinance shall be effective thirty (30) days after publication its notice of adoption, however the Probate Judge shall not receive any increase in compensation provided by this Ordinance during the current term of office per N.M. Const. Art. IV, § 27. This increase in compensation shall occur only at the beginning of the next term of office for the Probate Judge which is January 1, 2027.

Section 3. Severability. Should any section, paragraph, clause or provision of this ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 4. Repealer. All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

ADOPTED this 6th day of January 2026.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

_____,
Council Chair

ATTEST: (SEAL)

**Michael D. Redondo,
Los Alamos County Clerk**