

**Opinion No. 68-52**

May 27, 1968

**BY:** OPINION OF BOSTON E. WITT, Attorney General

**TO:** Ernestine D. Evans Secretary of State State Capitol Santa Fe. N. M.

**QUESTION**

QUESTION

Section 71-1-13, N.M.S.A., 1953 Compilation provides that no county clerk shall receive any instrument in writing for filing or record unless his legal fees for such filing and recording are paid. Does this apply to rules and regulations of political parties in New Mexico?

CONCLUSION

Yes.

**OPINION**

{\*89} **ANALYSIS**

Section 3-12-3, N.M.S.A., 1953 Compilation requires the filing of rules and regulations of political parties in those counties where the parties desire to have candidates. It is our opinion that the mandate of Section 71-1-13, N.M.S.A., 1953 Comp. is unequivocal that a fee must be collected to file all written instruments. Therefore, it is our opinion that Section 71-1-13, supra, applies to rules and regulations of political parties.

By: Roy G. Hill

Deputy Attorney General