

TITLE 3: TAXATION
CHAPTER 8: ESTATE TAX
PART 1: GENERAL PROVISIONS

3.8.1.1 ISSUING AGENCY: Taxation and Revenue Department, Joseph M. Montoya Building, 1100 South St. Francis Drive, P.O. Box 630, Santa Fe NM 87504-0630
[7/15/96; 3.8.1.1 NMAC - Rn, 3 NMAC 8.1.1, 12/14/00]

3.8.1.2 SCOPE: Provisions of this part apply to every person subject to the Estate Tax Act.
[7/15/96; 3.8.1.2 NMAC - Rn, 3 NMAC 8.1.2, 12/14/00]

3.8.1.3 STATUTORY AUTHORITY: Section 9-11-6.2 NMSA 1978 of the Taxation and Revenue Department Act.
[7/15/96; 3.8.1.3 NMAC - Rn, 3 NMAC 8.1.3, 12/14/00]

3.8.1.4 DURATION: Permanent.
[7/15/96; 3.8.1.4 NMAC - Rn, 3 NMAC 8.1.4, 12/14/00]

3.8.1.5 EFFECTIVE DATE: 7/15/96, unless a later date is cited at the end of a section, in which case the later date is the effective date. The effective date of the Estate Tax Act was July 1, 1973. (Laws 1973, Ch. 345, Section 18) The Estate Tax Act and this Part apply to estates where decedent passed away after June 30, 1973. Pursuant to Section 7-1-5(H) NMSA 1978 of the Tax Administration Act, the Estate Tax Act regulations filed August 5, 1974 were declared to be effective July 1, 1973. The amendments to those regulations adopted by TRD Rule 7-88 were effective on September 15, 1988.
[7/15/96; 3.8.1.5 NMAC - Rn & A, 3 NMAC 8.1.5, 12/14/00]

3.8.1.6 OBJECTIVE: The objective of this part is to interpret, exemplify, implement and enforce the provisions of the Estate Tax Act.
[7/15/96; 3.8.1.6 NMAC - Rn, 3 NMAC 8.1.6, 12/14/00]

3.8.1.7 DEFINITIONS: [Reserved]
[7/15/96; 3.8.1.7 NMAC - Rn, 3 NMAC 8.1.7, 12/14/00]

3.8.1.8 CITATIONS: All citations to statutes in 3.8 NMAC are to the 1978 New Mexico Statutes Annotated (NMSA 1978).
[7/15/96; 3.8.1.8 NMAC - Rn & A, 3 NMAC 8.1.8, 12/14/00]

3.8.1.9 EFFECT ON PRIOR LAW: All regulations, rulings, and attorney general's opinions pertaining to the former law, Taxation of Inheritances and Transfers (Laws 1921, Chapter 179, as amended), were superseded by the Estate Tax Act.
[7/15/96; 3.8.1.9 NMAC - Rn, 3 NMAC 8.1.9, 12/14/00]

HISTORY OF 3.8.1 NMAC:
Pre-NMAC History: [RESERVED]

NMAC History:
3 NMAC 8.1, Estate Tax - General Provisions, filed 7/2/96.
3.8.1 NMAC, Estate Tax - General Provisions, filed 12/1/00.