SENATE BILL 154

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Crystal R. Diamond

AN ACT

RELATING TO PROPERTY; ALLOWING A PUBLIC AGENCY TO CHARGE A REASONABLE FEE FOR PROVIDING AN OPINION REQUESTED PURSUANT TO THE NEW MEXICO SUBDIVISION ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 47-6-20 NMSA 1978 (being Laws 1973, Chapter 348, Section 20, as amended) is amended to read:

"47-6-20. PUBLIC AGENCIES REQUIRED TO PROVIDE COUNTIES WITH INFORMATION.--

A. Any public agency receiving a request from the board of county commissioners for an opinion and any Indian nation, tribe or pueblo that chooses to submit an opinion pursuant to Section 47-6-11 NMSA 1978 shall furnish the board with the requested opinion within the time period set forth in Subsection A of Section 47-6-22 NMSA 1978. The board of county
commissioners shall furnish the appropriate public agency and Indian nation, tribe or pueblo with all relevant information that the board has received from the subdivider on the subject for which the board is seeking an opinion. If the public agency or Indian nation, tribe or pueblo does not have sufficient information upon which to base an opinion, the public agency or Indian nation, tribe or pueblo shall notify the board of this fact.

B. A public agency may charge the subdivider a reasonable fee for providing an opinion requested pursuant to Section 47-6-11 NMSA 1978.

C. All opinion requests mailed by the board of county commissioners shall be by certified mail, return receipt requested. Boards of county commissioners delivering opinion requests shall obtain receipts showing the day the opinion request was received by the particular public agency or Indian nation, tribe or pueblo.