

AN ACT

RELATING TO CONSTRUCTION INDUSTRIES; AMENDING THE CONSTRUCTION INDUSTRIES LICENSING ACT TO INCREASE THE PENALTY FOR FAILURE TO DISCLOSE CERTAIN INFORMATION.

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

Section 1. Section 60-13-19 NMSA 1978 (being Laws 1978, Chapter 78, Section 1, as amended) is amended to read:

"60-13-19. DIVISION--EVIDENCE OF POSSESSION--PENALTY.--

A. The licensee shall exhibit satisfactory evidence of the possession of a license on demand and shall clearly indicate his contractor's license number on all written bids and when applying for a building permit.

B. A contractor who fails to indicate his contractor's license number clearly on all written bids and when applying for a building permit shall be assessed a penalty fee of one hundred fifty dollars (\$150) by the division. The fee shall be payable to the code jurisdiction or political subdivision that issued the permit or in which the work for which the bid is submitted is or would be permitted.

C. Before work is commenced, a contract is signed or funds are paid for any residential contracting, the contractor shall disclose in writing to the owner, on a form approved by the division, that the license issued and the bond or other proof of responsibility required pursuant to the Construction Industries Licensing Act does not protect the consumer if the contractor defaults. Any contractor who fails to make the disclosure required by this subsection shall be assessed a fee by the division in an amount not less than five hundred dollars (\$500) nor more than one thousand five hundred dollars (\$1,500) as determined by the division. The fee shall be payable to

the division 609

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