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HOUSE BILL 478

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Danice R. Picraux

AN ACT

RELATING TO DOMESTIC AFFAIRS; PROVIDING AN EXCEPTION TO THE REQUIREMENT THAT AN APPLICATION FOR A NAME CHANGE BE PUBLISHED; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 40-8-2 NMSA 1978 (being Laws 1889, Chapter 3, Section 2, as amended) is amended to read:

"40-8-2. NOTICE OF PETITION- - EXCEPTION. -- [~~Sec. 2.~~]

A. Before making application to the court for changing or establishing a name as [~~above~~] provided in Section 40-8-1 NMSA 1978, the applicant [~~must~~] shall cause a notice thereof, stating [~~therein~~] the nature of the application, the time and place, when and where the [~~same~~] application will be made, to be published in the county where [~~such~~] the application is to be made and where [~~said~~] the applicant

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 resides; [~~said~~] the notice to be published at least once each
2 week for two consecutive weeks in some newspaper printed in
3 [~~said~~] the county [~~and~~]. If there [~~be~~] is no newspaper
4 published in the county where [~~said~~] the applicant resides,
5 then [~~said~~] the notice shall be published in a newspaper
6 printed in [~~a~~] the county nearest to the residence of [~~said~~]
7 the person and having a circulation in the county where [~~such~~]
8 the person resides.

9 B. If the court finds that publication of an
10 applicant's name change will jeopardize the applicant's
11 personal safety, the court shall not require publication. The
12 court shall order all records regarding the application to be
13 sealed. The records shall only be opened by court order based
14 upon a showing of good cause or at the applicant's request."

15 Section 2. EFFECTIVE DATE. --The effective date of the
16 provisions of this act is July 1, 2001.