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AN ACT

RELATING TO TORT CLAIMS; PROVIDING FOR POST-JUDGMENT INTEREST
IN ACTIONS BROUGHT PURSUANT TO THE TORT CLAIMS ACT.

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

Section 1. Section 41-4-19 NMSA 1978 (being Laws 1976, Chapter 58,
Section 17, as amended) is amended to read:

"41-4-19. MAXIMUM LIABILITY.--

A. In any action for damages against a governmental entity or a
public employee while acting within the scope of his duties as provided in the Tort
Claims Act, the liability shall not exceed:

(1) the sum of one hundred thousand dollars (\$100,000) for
damage to or destruction of property arising out of a single occurrence; and

(2) the sum of three hundred thousand dollars (\$300,000) for
all past and future medical and medically related expenses arising out of a single
occurrence; and

(3) the sum of four hundred thousand dollars (\$400,000) to
any person for any number of claims arising out of a single occurrence for all
damages other than property damage and medical and medically related expenses
as permitted under the Tort Claims Act; or

(4) the sum of seven hundred fifty thousand dollars
(\$750,000) for all claims other than medical or medically related expenses arising
out of a single occurrence.

B. Interest shall be allowed on judgments against a governmental
entity or public employee for a tort for which immunity has been waived under the
Tort Claims Act at a rate equal to two percentage points above the prime rate as
published in the *Wall Street Journal* on the date of the entry of the judgment.

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1 Interest shall be computed daily from the date of the entry of the judgment until the 6
2 date of payment. 2

3 C. No judgment against a governmental entity or public employee for 6
4 any tort for which immunity has been waived under the Tort Claims Act shall include 2
5 an award for exemplary or punitive damages or for interest prior to judgment." 5
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